

Please note: These transcripts are not individually reviewed and approved for accuracy.

BEFORE THE  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

IN THE MATTER OF THE:     )  
  )  
REGULAR MONTHLY BUSINESS )  
MEETING                                     )

DATE AND TIME:             WEDNESDAY, NOVEMBER 19, 1997,  
                                  9:30 A.M.

PLACE:                     BOARD HEARING ROOM  
                              8800 CAL CENTER DRIVE  
                              SACRAMENTO, CALIFORNIA

REPORTER:                 BETH C. DRAIN, RPR, CSR  
                              CERTIFICATE NO. 7152

BRS FILE NO.:             42619

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#### APPEARANCES

MR. DANIEL G. PENNINGTON, CHAIRMAN MR. ROBERT  
C. FRAZEE, VICE CHAIRMAN MR. WESLEY CHESBRO,  
MEMBER

MS. JANET GOTCH, MEMBER

MR. STEVEN R. JONES, MEMBER

MR. PAUL RELIS, MEMBER

#### STAFF PRESENT

MR. RALPH CHANDLER, CHIEF EXECUTIVE OFFICER MR. KEITH  
SMITH, DEPUTY EXECUTIVE OFFICER MS. KATHRYN TOBIAS, CHIEF  
LEGAL COUNSEL

MS. LORI LOPEZ, BOARD SECRETARY

MS. PATTI BERTRAM, ADMINISTRATIVE ASSISTANT

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1 THE COUNTY OF SAN BERNARDINO.

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21 LANDFILL, RIVERSIDE COUNTY.

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36 ORGANICS TIER REGULATIONS.

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1                               SACRAMENTO, CALIFORNIA;

2                               WEDNESDAY, NOVEMBER 19, 1997

3                               9:30 A.M.

4

5                               CHAIRMAN PENNINGTON: GOOD MORNING AND

6 WELCOME TO THE NOVEMBER 1997 MEETING OF THE

7 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD.

8 WOULD THE SECRETARY PLEASE CALL THE ROLL.

9                               THE SECRETARY: BOARD MEMBER CHESBRO.

10                              BOARD MEMBER CHESBRO: HERE.

11                              THE SECRETARY: FRAZEE.

12                              BOARD MEMBER FRAZEE: HERE.

13                              THE SECRETARY: GOTCH.

14                              BOARD MEMBER GOTCH: HERE.

15                              THE SECRETARY: RELIS.

16                              BOARD MEMBER RELIS: HERE.

17                              THE SECRETARY: CHAIRMAN PENNINGTON.

18                              BOARD MEMBER JONES: WHAT AM I? I'M HERE.

19 THEY DON'T WANT ME HERE. I'M LEAVING.

20                              THE SECRETARY: BOARD MEMBER JONES.

21                              BOARD MEMBER JONES: HERE.

22                              CHAIRMAN PENNINGTON: IT'S ALL RIGHT. WE

23 HAD A QUORUM ANYWAY.

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24                               OKAY.   WE HAVE A QUORUM.   DO ANY  
25       MEMBERS HAVE ANY EX PARTES?   I'LL START WITH MR.

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1 CHESBRO.

2 BOARD MEMBER CHESBRO: YES, I HAVE SEVERAL  
3 WRITTEN ONES. I'M SURE OTHER PEOPLE HAVE RECEIVED  
4 THEM TOO. BUT I HAVE -- LET'S SEE -- COLEMAN  
5 CONRAD, CITY OF SAN DIEGO, REGARDING THE CERTIFICA-  
6 TION OF SAN DIEGO LEA, ITEM 25; SEVERAL LETTERS  
7 FROM ERIC SUNSWHEAT ON ITEMS A-1 AND ITEM 26; I  
8 HAVE A LETTER FROM STEVEN -- TWO LETTERS FROM  
9 STEVEN QUINTANILLA, THE CITY OF CATHEDRAL CITY,  
10 REGARDING THE EDM HILL LANDFILL; LETTER FROM SUSAN  
11 CATCHY, CITY OF OAKLAND REGARDING THE SHOP SMART  
12 CAMPAIGN, ITEM 5; AND THEN I HAD AN ORAL EX PARTE,  
13 WHICH I HAVEN'T HAD A CHANCE TO DO THE FORM ON YET,  
14 LAST SATURDAY WITH DAVID ASSMAN OF THE CITY AND  
15 COUNTY OF SAN FRANCISCO REGARDING THE SHOP SMART  
16 CAMPAIGN ITEM.

17 CHAIRMAN PENNINGTON: OKAY. THANK YOU.

18 BOARD MEMBER CHESBRO: I'LL BE SUBMITTING  
19 THE LIST TO THE CLERK.

20 CHAIRMAN PENNINGTON: MRS. GOTCH.

21 BOARD MEMBER GOTCH: I HAD THE SAME  
22 LETTERS MR. CHESBRO JUST MENTIONED, AND THEN I HAD  
23 A CONVERSATION LAST NIGHT WITH JEFF MARSTON

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24 REPRESENTING THE CITY OF SAN DIEGO REGARDING ITEM  
25 25 AND THE SAN DIEGO LEA CERTIFICATION.

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1                   CHAIRMAN PENNINGTON:    OKAY.    THANK YOU.

2           MR. FRAZEE.

3                   BOARD MEMBER FRAZEE:    MINE ARE ALL  
4           RECORDED IN THE FILE.

5                   CHAIRMAN PENNINGTON:    OKAY.    THANK YOU.

6           MR. RELIS.

7                   BOARD MEMBER RELIS:    MR. CHAIR, I HAD A  
8           BRIEF DISCUSSION THIS MORNING WITH CLINT WHITNEY  
9           REPRESENTING, I THINK, SAN DIEGO COUNTY CONCERNING  
10          ITEM 25, THE LEA CERTIFICATION; AND LAST WEEK  
11          VERBAL WITH, HAVEN'T FILED THE REPORT YET, WITH  
12          RICH HAYES AND ROBERT EPPLER, THE CITY OF SAN DIEGO  
13          REGARDING THE SAME ITEM.

14                   CHAIRMAN PENNINGTON:    OKAY.    AND MR.  
15          JONES.

16                   BOARD MEMBER JONES:    ALL THE LETTERS THAT  
17          MR. CHESBRO REFERRED TO AND THEN BRIEF DISCUSSION  
18          WITH CLINT WHITNEY, MICHAEL GROSS FROM ZANKER  
19          ROAD -- SORRY, MICHAEL -- MARK LEARY AND TERRY  
20          LEVEILLE.

21                   CHAIRMAN PENNINGTON:    I TOO HAVE ALL THE  
22          LETTERS THAT -- FROM THE CITY OF OAKLAND IN SUPPORT  
23          OF THE SHOP SMART CAMPAIGN; TWO LETTERS FROM  
24          ATTORNEYS REPRESENTING THE CITY OF CATHEDRAL CITY;

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25        LETTER FROM COLEMAN CONRAD DEALING WITH THE SAN  
9

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1       DIEGO LEA SITUATION; FAX FROM ERIC SUNSWHEAT  
2       CONCERNING THE BOARD POLICY ON UNRELIABLE  
3       CONTRACTORS. I THINK THAT COVERS IT. I DID SPEAK  
4       WITH MR. LARSON THIS MORNING, BUT NOT RELATIVE TO  
5       ANYTHING BEFORE THE BOARD. OKAY.

6                   FEW THINGS, ITEM 22, REQUEST FROM BOB  
7       NELSON TO HAVE ITEM 22 HEARD BY THE BOARD IN THE  
8       MORNING TO ACCOMMODATE HIS TRAVEL TO MEETINGS IN  
9       THE SOUTH. WE'RE GOING TO MOVE THAT.

10               BOARD MEMBER CHESBRO: MR. CHAIRMAN, I  
11       HAVE A QUESTION ABOUT THAT. I JUST WANT TO MAKE  
12       SURE. WE RECEIVED SEVERAL LETTERS REGARDING THAT.  
13       I WANT TO MAKE SURE -- WELL, ASK WHETHER WE KNOW  
14       WHETHER THE OTHER PARTIES ARE GOING TO BE COMING  
15       AND WHETHER THEY WERE INFORMED OF THE ITEM BEING  
16       MOVED ON THE AGENDA. I JUST WANT TO MAKE SURE  
17       SOMEBODY DOESN'T SHOW UP LATER AND SAY, "WHEN'S THE  
18       ITEM?" "OH, WE ALREADY HEARD IT." I DON'T THINK  
19       THAT WOULD BE TOO APPROPRIATE.

20               CHAIRMAN PENNINGTON: I THINK MS. RICE CAN  
21       RESPOND TO THAT.

22               MS. RICE: GOOD MORNING. WE DID CONTACT  
23       ALL INTERESTED PARTIES WE WERE AWARE OF AND DID  
24       UNDERSTAND THAT THEY DID NOT INTEND TO COME TODAY,



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25       MEANING THE CITY OF CATHEDRAL CITY, WHICH IS WHY  
10

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1       THEY PROVIDED THE LETTER FOR YOU THIS MORNING,  
2       BECAUSE THEY WERE NOT PLANNING TO ATTEND.

3               BOARD MEMBER CHESBRO:   THERE WAS A SECOND  
4       LETTER WHICH I HAVE TO DIG IN HERE TO FIND, BUT  
5       THERE WAS SOME INTERESTED PARTY.

6               BOARD MEMBER RELIS:   YES, AN INDIVIDUAL.

7               MS. TOBIAS:   MR. CHESBRO, THE LETTER THAT  
8       CAME IN THIS MORNING?

9               BOARD MEMBER CHESBRO:   I DON'T KNOW IF IT  
10      CAME IN THIS MORNING.   IT WAS IN MY PACKET THIS  
11      MORNING.

12              MS. TOBIAS:   I BELIEVE THAT THE CITY SENT  
13      UP A LETTER WITH THEIR OFFICIAL LETTER FROM THE  
14      CITY FROM SOMEBODY.   WE HAD SEEN THAT LETTER  
15      BEFORE, BUT THEY WANTED IT TO BE PART OF THE RECORD  
16      WHERE THEY'RE OBJECTING.   SO IF THAT'S THE ONE YOU  
17      ARE REFERRING TO, I DON'T HAVE THAT IN FRONT OF ME,  
18      BUT THERE WAS ONE LETTER FROM ONE CITIZEN.   IT'S  
19      NOT MY UNDERSTANDING THAT THEY WOULD BE HERE TODAY.

20              BOARD MEMBER RELIS:   I HAVE IT.

21              BOARD MEMBER CHESBRO:   JOSEPHINE SAFRANSKI  
22      (PHONETIC).

23              MS. TOBIAS:   YEAH, THAT'S CORRECT.   IT'S  
24      MY UNDERSTANDING THAT THE CITY UNDERSTOOD WHAT THE

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25        ISSUES WERE AND HOW THE BOARD WOULD BE HANDLING  
11

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1       THEM BASED ON THE CEQA ISSUES, AND THAT THEY DID  
2       NOT EXPECT TO BE HERE TODAY.

3               CHAIRMAN PENNINGTON:   SO IF THERE'S NO  
4       OBJECTION, WE'LL MOVE THAT TO THIS MORNING.

5               LET'S SEE.   I HAVE A FEW  
6       ANNOUNCEMENTS HERE.   I HAVE A -- ITEM 28 IS PULLED  
7       FROM TODAY'S AGENDA AND WILL BE HEARD IN DECEMBER.  
8       ITEM 22 WILL BE HEARD FOLLOWING ITEM 3.   ITEM 26  
9       WOULD BE PULLED FROM THE CONSENT CALENDAR AND BE  
10      HEARD BY THE BOARD AFTER LUNCH TODAY.

11              MOVE TO ITEM NO. 1, COMMITTEE  
12      REPORTS.   LEGISLATION AND PUBLIC EDUCATION  
13      COMMITTEE DIDN'T MEET, BUT DOES MRS. GOTCH HAVE  
14      ANYTHING?

15              BOARD MEMBER GOTCH:   ACTUALLY WE DID MEET,  
16      MR. CHAIR.   WE MET ON NOVEMBER 13TH, AND THE  
17      COMMITTEE RECEIVED AN UPDATE FROM OUR PUBLIC  
18      EDUCATION DIVISION.   STAFF COMPLETED THEIR GOALS  
19      AND OBJECTIVES FOR '97-'98 FISCAL YEAR, AND THEY  
20      ANTICIPATE THAT WE WILL CONDUCT OVER ONE HUNDRED  
21      WORKSHOPS DURING THAT FISCAL YEAR.

22              THE MODEL SCHOOL PROGRAMS AWARDED TO  
23      ALAMEDA AND SAN BERNARDINO COUNTY ARE BOTH ON  
24      SCHEDULE.   EACH PROGRAM WILL INCLUDE A WASTE

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25 PREVENTION, RECYCLING, AND COMPOSTING COMPONENT, AS

12

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1 WELL AS AN EDUCATIONAL COMPONENT.

2 ADDITIONALLY, WE RECEIVED AN UPDATE  
3 FROM OUR PUBLIC AFFAIRS DIVISION. STAFF'S BEEN  
4 BUSY REDESIGNING THE BOARD'S OLD "NEWS AT A GLANCE"  
5 AND HAS CONVERTED IT TO A NEWSLETTER CALLED THE  
6 "WASTE WATCHER," WHICH IS ALSO ON OUR WEB PAGE.

7 STAFF IS ALSO BUSY FINALIZING THE  
8 HOLIDAY SHOPPING BAG ARTWORK FOR RALPH'S GROCERY  
9 STORES IN SOUTHERN CALIFORNIA. AND I THINK ARNIE  
10 HAS RUN UPSTAIRS TO GET IT. LOOKS LIKE WE'LL  
MISS

11 IT FOR COMMITTEE TIME, BUT WE'LL PASS IT AROUND  
12 AFTERWARDS.

13 AND THEN FINALLY, WE RECEIVED AN  
14 UPDATE ON THE RESULTS OF THE PUBLIC EDUCATION AND  
15 PUBLIC AFFAIRS PLAN. WE'VE DECIDED TO COMBINE  
BOTH

16 PLANS TO AVOID OVERLAP BETWEEN DIVISIONS AND TO  
17 ENSURE THEY APPROPRIATELY FOLLOW THE STRATEGIC  
18 PLAN.

19 WE'RE ALSO AWAITING COMMENTS FROM  
THE  
20 OUTSIDE PARTIES THAT WILL BE INCLUDED IN THE  
PLAN.

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21       IN COMMITTEE I PROVIDED A TIMETABLE TO STAFF OF  
22       WHEN ELEMENTS OF THE PLAN SHOULD BE FINALIZED,  
AND  
23       THIS COMPLETED PLAN WILL BE HEARD AT NEXT MONTH'S  
24       LPEC AND THE BOARD MEETING.   AND THAT CONCLUDES  
MY  
25       REPORT.

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1                   CHAIRMAN PENNINGTON:   THANK YOU, MRS.  
2       GOTCH.   APOLOGIZE THAT THE CHAIR THOUGHT YOU  
DIDN'T  
3       MEET.

4                   BOARD MEMBER GOTCH:   THAT'S OKAY.   NO  
5       LEGISLATION, OBVIOUSLY.

6                   CHAIRMAN PENNINGTON:   LOCAL ASSISTANCE  
AND  
7       PLANNING, MR. CHESBRO CHAIR.

8                   BOARD MEMBER CHESBRO:   MR. CHAIRMAN, THE  
9       LOCAL ASSISTANCE AND PLANNING COMMITTEE  
CONSIDERED

10       11 PLANNING DOCUMENTS, REPRESENTING EIGHT  
JURISDIC-

11       TIONS IN LOS ANGELES COUNTY, SAN BERNARDINO, AND  
12       SANTA CRUZ COUNTIES.   THANKS TO THE THOROUGH WORK  
13       OF STAFF, MOST OF THE PLANS WERE ON CONSENT

AGENDA

14       AT THE COMMITTEE AND ALL ARE NOW ON THE BOARD'S  
15       CONSENT AGENDA.

16                   THE COMMITTEE HEARD A PRESENTATION  
OF

17       THE PROGRAM ANNUAL REPORT DATABASE SYSTEM, ALSO  
18       KNOWN AS PARIS.   GIVES IT SORT OF A NICE ROMANTIC



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19       SOUND FOR SOMETHING THAT'S FAIRLY TECHNICAL.  BUT  
20       ONCE ACTIVATED, IT IS VERY IMPORTANT.  I DON'T  
MEAN  
21       TO SLIGHT IT.  IT'S A VERY IMPORTANT SYSTEM.  IT  
22       WILL SHOW WHAT PROGRAMS ARE BEING IMPLEMENTED BY  
23       LOCAL JURISDICTIONS, HOW WELL THE JURISDICTIONS  
ARE  
24       DOING WITH THEIR PROGRAMS, AND DEVELOP REPORTS TO  
25       ASSIST IN THE BIENNIAL REVIEW OF THE  
JURISDICTION'S

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1 PLAN.

2 THE BOARD WILL NOT BE HEARING THIS  
3 THIS MONTH; HOWEVER, IT SEEMED IMPORTANT ENOUGH  
4 THAT WE ASKED STAFF TO PRESENT IT TO THE BOARD  
5 EARLY IN 1998 SO THAT YOU CAN KEPT ABREAST OF THE  
6 VARIOUS KINDS OF ASSISTANCE THAT OTHER BOARD  
7 MEMBERS AND MEMBERS OF THE COMMITTEE CAN CONTINUE  
8 TO BE INFORMED ON THE TYPE OF ASSISTANCE WE'RE  
9 PROVIDING.

10 TODAY WE WILL BE HEARING A DISCUSSION  
11 LATER ON OF THE WASTE CHARACTERIZATION AND  
12 DIVERSION MODEL, THIS AFTERNOON, I BELIEVE,  
13 DEPENDING ON HOW QUICKLY WE MOVE THROUGH THE  
14 AGENDA.

15 THE COMMITTEE ALSO CONSIDERED THE  
16 PROPOSED 1997 WASTE REDUCTION AWARDS PROGRAM OF THE  
17 YEAR WINNERS, THE WRAP-OF-THE-YEAR WINNERS. THE  
18 WINNERS INCLUDE FETZER VINEYARDS, HILLSIDE PRESS,  
19 SEA WORLD, AND WARNER BROTHERS, JUST TO NAME SOME  
20 OF THEM. ALL OF THE WINNERS ARE TO BE COMMENDED  
21 FOR THEIR CONTRIBUTION TO THE STATE OF CALIFORNIA'S  
22 EFFORT TO REDUCE WASTE BY 50 PERCENT. AND THE ITEM  
23 IS ALSO LOCATED -- WILL BE ON THE CONSENT AGENDA.  
24 AND AS IN PAST YEARS, I BELIEVE OUR PUBLIC AFFAIRS

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25        OFFICE, WORKING WITH THE DIVISION STAFF, WILL BE  
15

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1 SCHEDULING PUBLIC EVENTS AND EFFORTS TO PUBLICIZE  
2 THESE COMPANIES' CONTRIBUTIONS. AND THAT COMPLETES  
3 MY REPORT.

4 CHAIRMAN PENNINGTON: THANK YOU, MR.  
5 CHESBRO. PERMITTING AND ENFORCEMENT COMMITTEE, MR.  
6 ROBERT FRAZEE CHAIR.

7 BOARD MEMBER FRAZEE: YES, MR. CHAIRMAN,  
8 THE PERMITTING AND ENFORCEMENT COMMITTEE MET ON  
9 NOVEMBER 5TH AND HEARD 13 ITEMS, WHICH MANAGED TO  
10 TAKE THE FULL DAY. ON TODAY'S CONSENT AGENDA ARE  
11 THREE PERMIT ITEMS. NO. 1, A SOLID WASTE FACILITY  
12 PERMIT FOR THE ROBERT A. NELSON TRANSFER STATION  
13 FACILITY IN RIVERSIDE COUNTY; TWO, A REVISED SOLID  
14 WASTE FACILITY PERMIT FOR THE BLYTHE SANITARY  
15 LANDFILL IN RIVERSIDE COUNTY; AND, THREE, A NEW  
16 SOLID WASTE FACILITY PERMIT FOR THE MUSTANG HILL  
17 LANDFILL IN KINGS COUNTY.

18 ITEMS PASSED ON TO THE BOARD FOR  
19 CONSIDERATION -- NO. THIS IS CONSENT, STILL  
20 CONSIDERATION ITEMS. THE FIRST OF THOSE,  
21 CONSIDERATION OF PROGRESS MADE BY THE INYO COUNTY  
22 DEPARTMENT OF ENVIRONMENTAL HEALTH SERVICES AS THE  
23 LEA FOR INYO COUNTY DURING A SIX-MONTH PROBATIONARY

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24 STATUS. IN THIS ITEM THE COMMITTEE NOTED  
25 SIGNIFICANT PROGRESS AND DID GRANT A SIX-MONTH  
16

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1 CONTINUANCE TO THE PROBATIONARY STATUS TO FINISH UP  
2 THE FINAL ITEMS NEEDED TO BRING INYO COUNTY INTO  
3 FULL COMPLIANCE.

4 AND THEN LEGAL AUTHORITY ISSUES AND  
5 STAFF OPTIONS RELATING TO CONSTRUCTION AND DEMOLI-  
6 TION AND INERT TIER REGULATIONS. AND THAT ONE --  
7 WAS THERE A REQUEST TO PULL THAT FROM THE CONSENT?

8 CHAIRMAN PENNINGTON: YES.

9 BOARD MEMBER FRAZEE: THAT'S ITEM 26, IS  
10 IT?

11 CHAIRMAN PENNINGTON: CORRECT.

12 BOARD MEMBER FRAZEE: OKAY. SO THAT ONE  
13 WILL NOT BE ON CONSENT CALENDAR. AND THE LEGAL  
14 AUTHORITY ISSUES AND STAFF OPTIONS TO ORGANICS TIER  
15 REGULATION.

16 AND THEN FORWARDED FOR THE REGULAR  
17 AGENDA, A REVISED SOLID WASTE FACILITY PERMIT FOR  
18 THE EDOM HILL SANITARY LANDFILL, RIVERSIDE COUNTY;  
19 ADOPTION OF A NEGATIVE DEC FOR A MAJOR TIRE  
20 FACILITY PERMIT FOR CAM IN CALAVERAS COUNTY; AND A  
21 NEW MAJOR WASTE TIRE FACILITY PERMIT FOR THAT SAME  
22 FACILITY, CALAVERAS COUNTY.

23 AND NO. 4, TEMPORARY CERTIFICATION OF  
24 THE CITY OF SAN DIEGO DEVELOPMENTAL SERVICES

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25 DEPARTMENT AS THE LEA FOR THE CITY OF SAN DIEGO.

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1        THAT ONE PASSED THE COMMITTEE ON A TWO-TO-ONE VOTE.

2                        AND THEN ITEMS APPROVED IN THE  
3        COMMITTEE THAT ARE NOT ON TODAY'S AGENDA: THE  
4        CONSIDERATION OF APPROVAL TO FORMALLY NOTICE  
5        PROPOSED REGULATIONS TO PLACE TRANSFER/PROCESSING  
6        OPERATIONS AND FACILITIES WITHIN THE REGULATORY  
7        TIERS. THAT ITEM WAS SENT OUT FOR THE FIRST 45-DAY  
8        COMMENT PERIOD.

9                        AND THEN FINALLY, THE STATUS OF THE  
10       WASTE TIRE STABILIZATION AND ABATEMENT PROGRAM,  
11       THAT WAS AN UPDATE FOR THE COMMITTEE. AND THAT  
12       COMPLETES MY REPORT.

13                      CHAIRMAN PENNINGTON: THANK YOU. NEXT IS  
14       THE POLICY, RESEARCH AND TECHNICAL ASSISTANCE  
15       COMMITTEE. STEVE JONES IS CHAIR.

16                      BOARD MEMBER JONES: THANK YOU, MR.  
17       CHAIRMAN. THE POLICY COMMITTEE MET AND CONSIDERED  
18       ONE ITEM, THE CONSIDERATION OF A POLICY THAT WILL  
19       ESTABLISH CRITERIA TO DETERMINE WHEN AND UNDER WHAT  
20       CIRCUMSTANCES AN APPLICANT FOR A BOARD CONTRACT,  
21       GRANT, OR LOAN SHOULD BE CONSIDERED UNRELIABLE AND  
22       THEREFORE NOT AWARD THE CONTRACT, GRANT, OR LOAN.

23                      WE WORKED THROUGH THIS ITEM, AND IT  
24       WENT OUT OF COMMITTEE ON A THREE-TO-ONE VOTE. WE DO



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25        HAVE -- TODAY WE WILL OFFER SOME AMENDED LANGUAGE  
18

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1        THAT I THINK EVERYBODY HAS A COPY OF THAT WILL TRY  
2        TO CLEAN UP A POTENTIAL LOOPHOLE IN THAT POLICY.

3                    AND JUST REAL BRIEFLY, I WAS -- PART  
4        OF OUR TRANSPORT PACKAGING INITIATIVE, WE HAD  
5        INCLUDED THE RECONDITIONERS OF STEEL DRUM PEOPLE TO  
6        TALK ABOUT A REUSE PROGRAM DEALING WITH INDUSTRIAL  
7        WASTE THROUGHOUT THE STATE.  THEY HAD ASKED THE  
8        CHAIRMAN TO SPEAK AT THEIR CONFERENCE.  HE ASKED IF  
9        I WOULD DO IT.  I GLEEFULLY ACCEPTED THAT  
10       RESPONSIBILITY BECAUSE IT WAS IN SCOTTSDALE AND  
11       WENT DOWN AND SPOKE TO THOSE FOLKS AND SPENT THE  
12       TWO DAYS IN THAT CONFERENCE AND LEARNED AN AWFUL  
13       LOT ABOUT THE INDUSTRIAL ISSUES WITH TRANSPORT  
14       PACKAGING.

15                   I THINK THEY'RE GOING TO HAVE TO AT  
16       SOME POINT COME TO POLICY COMMITTEE AND TALK ABOUT  
17       BECAUSE THERE IS A MOVEMENT WITHIN THE INDUSTRY,  
18       WITHIN THE STEEL DRUM INDUSTRY, TO MAKE LIGHTER  
19       AND  
20       LIGHTER BARRELS.  THOSE BARRELS CAN'T BE REUSED.  
21       THE GET USED ONCE, THEY GET EITHER RECYCLED OR  
22       THROWN AWAY, AND IT SEEMS KIND OF  
23       COUNTERPRODUCTIVE

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22 TO WHAT OUR MISSION IS WHEN THOSE DRUMS IN THEIR  
23 ORIGINAL FORM THREE YEARS AGO COULD HAVE BEEN  
24 REUSED AS MANY AS TEN TIMES. SEEMS LIKE WE MAY BE  
25 MISSING THE BOAT HERE, BUT I THINK WE NEED TO TALK

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1 ABOUT IT A LITTLE BIT BECAUSE THERE IS SOME VALUE  
2 IN THAT REUSE, OBVIOUSLY. THANK YOU, MR.  
3 CHAIRMAN.

4 CHAIRMAN PENNINGTON: THANK YOU. MR.  
5 JONES. THE ADMINISTRATION COMMITTEE, WHICH I  
6 CHAIR, THE ADMINISTRATION COMMITTEE MET ON NOVEMBER  
7 4TH AND HEARD TWO ITEMS. THE FIRST ITEM WAS THE  
8 CONSIDERATION OF A \$25,000 FUNDING REQUEST FOR THE  
9 BAY AREA SHOP SMART CAMPAIGN.

10 THIS ITEM WAS FORWARDED TO THE BOARD  
11 WITHOUT RECOMMENDATION AND IS PENDING THE  
12 DISCUSSION AND APPROVAL OF THE CONSENT -- CONTRACT  
13 CONCEPTS BY THE BOARD.

14 THE SECOND ITEM WAS THE CONSIDERATION  
15 OF THE '97-'98 FISCAL YEAR CONTRACT CONCEPTS. THIS  
16 ITEM IS ON THE BOARD AGENDA FOR A DISCUSSION TODAY  
17 WITH RECOMMENDATIONS FOR TWO OF THE COMMITTEE  
18 MEMBERS. AS COMMITTEE GOTCH REQUESTED THAT THE  
19 STAFF COMPLETE ADDITIONAL RESEARCH, SHE ABSTAINED  
20 FROM VOTING AT THE ADMINISTRATION COMMITTEE.

21 MARKET DEVELOPMENT COMMITTEE IS  
22 CHAIRED BY MR. RELIS.

23 BOARD MEMBER RELIS: THANK YOU, MR. CHAIR.

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24 WE TOOK UP TWO ITEMS IN COMMITTEE, BOTH IN CONSENT,

25 THE ADOPTION OF THE PROPOSED REGULATIONS FOR THE

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1 RMDZ LOAN PROGRAM AND THE APPOINTMENT OF NEW  
2 MEMBERS TO THE RMDZ LOAN COMMITTEE.

3 THE COMMITTEE ALSO VIEWED THE BOARD'S  
4 NEW COMPOST VIDEO, THE RESULTS OF OUR FOUR-YEAR  
5 DEMONSTRATION PROJECTS IN FIVE LOCALES OF THE  
6 STATE. I THINK I COULD SPEAK FOR THE MARKET  
7 COMMITTEE, THAT WE FOUND THIS VIDEO, 30 MINUTES IN  
8 LENGTH, IN THE WORDS OF FARMERS, RESEARCHERS, NOT  
9 OUR WORDS AT THE BOARD, BOARD MEMBERS, TO BE A VERY  
10 CONVINCING TESTIMONY AS TO THE VALUE OF ORGANICS  
11 RECYCLING FOR CALIFORNIA AGRICULTURE.

12 AND JUST THIS PAST WEEK I'VE HAD AN  
13 OPPORTUNITY TO SHOW THE VIDEO IN TWO MEETINGS TO  
14 TEST THIS, ITS ABILITY TO COMMUNICATE TO GROWERS,  
15 ONE IN POWAY, NORTHERN SAN DIEGO COUNTY. LAST WEEK  
16 ABOUT 40 GROWERS MET WITH THE RESEARCHERS IN OUR  
17 SOUTHERN CALIFORNIA DEMONSTRATION PROJECT, HEARD  
18 DR. MENGE PRESENT HIS RESULTS OF MULCH APPLICATIONS  
19 ON AVOCADOS AND CITRUS.

20 AND THE GROWERS, THE NUMBER OF  
21 QUESTIONS AND THE INTEREST WAS, I WOULD SAY,  
22 PHENOMENAL AT THAT MEETING.

23 AND THEN YESTERDAY HAD THE  
24 OPPORTUNITY TO MEET AT THE NEW GREAT VALLEY CENTER

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25 IN MODESTO, WHICH IS DEDICATED TO PROTECTION OF THE  
21

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1        FARMLANDS IN THE CENTRAL VALLEY.  THERE MET WITH A  
2        NUMBER OF GROWERS OF THE CALF PROGRAM, AND THEY  
3        WERE ALSO VERY INTERESTED IN THE FINDINGS OF THIS  
4        DEMONSTRATION WORK.

5                        SO I THINK WE'VE GOT A VERY FINE  
6        PRODUCT HERE, AND NOW THE CHALLENGE IS TO GET THE  
7        WORD OUT, GET THE VIDEO DISTRIBUTED.  THERE HAVE  
8        BEEN MANY REQUESTS TO MY OFFICE ALREADY FOR IT, SO  
9        THAT COMPLETES MY REPORT.

10                      CHAIRMAN PENNINGTON:  THANK YOU, MR.  
11        RELIS.

12                      BOARD MEMBER RELIS:  AND I DID WANT TO  
13        ADD, IT'S NOT TECHNICALLY PART OF THE REPORT, AS  
14        WE'RE APPOINTING NEW RMDZ MEMBERS, WE ALSO WANT TO  
15        ACKNOWLEDGE LOAN COMMITTEE MEMBERS; THAT IS, WE  
16        WANT TO ACKNOWLEDGE A SPECIAL CONTRIBUTION.  AND  
17        I'D LIKE ROXANNE MIDDLETON.  I SEE YOU OUT THERE.  
18        I'D LIKE TO COME UP AND GIVE THIS TO YOU.

19                      ROXANNE MIDDLETON SERVED AS ONE OF  
20        OUR, I BELIEVE, FOUNDING LOAN -- NO.  YOU CAME IN  
21        RIGHT AT THE BEGINNING, THOUGH, IN THE EARLY  
22        STAGES.  AND SHE HAS BEEN ONE OF OUR REALLY FINE  
23        CONTRIBUTORS TO THE DEVELOPMENT OF OUR LOAN  
24        PROGRAM.



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25

THE LOAN COMMITTEE, AS SOME OF YOU

22

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1 MAY OR MAY NOT KNOW, IS OUR FILTER. IT'S THE  
2 FILTER BETWEEN STAFF WORK AND BOARD DECISION ON  
3 LOANS. THEY ARE THE EXPERT BANKERS, THE LOAN  
4 PEOPLE WITH EXPERTISE IN REVIEWING FISCAL  
5 PERFORMANCE OF COMPANIES AND GIVING US A YEA OR NAY  
6 ON A LOAN APPLICATION. WE RELY ON THEM VERY  
7 HEAVILY FOR THEIR EXPERTISE.

8 AND ROXANNE, I MIGHT SAY, I'M NOT  
9 GOING TO READ OUT ALL THE WHEREASES. ONE CLAUSE  
10 THAT STRUCK ME IN OUR RESOLUTION IS THAT SHE WAS A  
11 KEY CONTRIBUTOR TO THE FEBRUARY 1997 PROGRAM, WHICH  
12 SOME OF YOU RECALL, DURING WHICH VARIOUS ASPECTS OF  
13 THE LOAN PROGRAM WERE DISCUSSED BY BOARD MEMBERS,  
14 ZONE ADMINISTRATORS, AND REPRESENTATIVES FROM THE  
15 BUSINESS COMMUNITY ULTIMATELY LEADING TO NUMEROUS  
16 IMPROVEMENTS IN OUR LOAN MAKING FUNCTION.

17 SO SHE'S PLAYED AN INSTRUMENTAL ROLE.  
18 AND ON BEHALF OF THE BOARD, I WANT TO THANK YOU,  
19 ROXANNE, FOR HELPING US AND CONGRATULATE YOU ON  
20 YOUR NEW PROMOTION AS, I THINK, A REGIONAL --

21 MS. MIDDLETON: AREA SALES MANAGER.

22 BOARD MEMBER RELIS: AREA SALES MANAGER  
23 FOR BANK OF AMERICA.

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24 (APPLAUSE. )

25 MS. MIDDLETON: I WOULD JUST LIKE TO MAKE  
23

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1 ONE COMMENT. I REALLY ENJOYED MY WORK ON THE LOAN  
2 COMMITTEE, AND JUST VERY RECENTLY I HAD THE  
3 OPPORTUNITY TO REALLY GET TO KNOW SOME OF YOUR ZONE  
4 ADMINISTRATORS THROUGH TRAINING. I PROVIDED CREDIT  
5 TRAINING TO -- IN THREE DIFFERENT LOCATIONS TO THE  
6 ZONE ADMINISTRATORS. AND I WANT TO TELL YOU YOU'VE  
7 GOT A BUNCH OF GOOD PEOPLE OUT THERE, AND I REALLY  
8 APPRECIATE THE WORK THAT THEY'RE DOING. AND I'M  
9 HOPING THAT THEY LEARNED A LOT ABOUT CREDIT, AND  
10 THAT WILL HELP US GET MORE LOANS DONE. SO THANK  
11 YOU VERY MUCH.

12 (APPLAUSE.)

13 CHAIRMAN PENNINGTON: THANK YOU, ROXANNE,  
14 AND GOOD LUCK TO YOU.

15 OKAY. NEXT WE'LL MOVE TO THE  
16 EXECUTIVE DIRECTOR'S REPORT, MR. CHANDLER.

17 MR. CHANDLER: THANK YOU, MR. CHAIRMAN.  
18 GOOD MORNING, MEMBERS. I HAVE A FEW ISSUES TO  
19 SPEAK TO THIS MORNING. FIRST OF ALL, I'D LIKE TO  
20 REPORT ON A VERY SUCCESSFUL JOINT LEA-WASTE BOARD  
21 STAFF CONFERENCE THAT WE SPONSORED LAST WEDNESDAY  
22 THROUGH FRIDAY AT ASILIMAR NEAR MONTEREY. THE  
23 THEME OF THE CONFERENCE WAS PARTNERSHIP 2000,  
24 MAKING IT A REALITY.

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25

MORE THAN A HUNDRED FIFTY PEOPLE

FROM

24

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1 THE LEA COMMUNITY AND BOARD STAFF ATTENDED THE  
2 CONFERENCE. THE CONFERENCE CONSISTED OF TRAINING  
3 AND SEMINARS ON A WIDE RANGE OF SOLID WASTE  
4 MANAGEMENT TOPICS, INCLUDING THE PERMITTING  
5 PROCESS, ENFORCEMENT PROCEDURES, CEQA ISSUES  
FACING

6 THE LEA'S, THE AB 59 HEARING PANEL PROCESS,  
AND

7 LANDFILL CLOSURE AND CLEANUP ISSUES.

8 I ATTENDED ALONG WITH THE  
CURRENT AND

9 PAST PRESIDENTS OF THE CCDEH SOLID WASTE  
POLICY

10 COMMITTEE IN PROVIDING OPENING REMARKS ON THE  
11 PARTNERSHIP 2000 EFFORT.

12 AS YOU KNOW, THIS EFFORT IS A  
13 COMMITMENT ON THE PART OF THE STATE AND LOCAL  
SOLID

14 WASTE REGULATORY AGENCIES TO WORK  
COOPERATIVELY

15 TOGETHER WITH THE COMMON GOAL OF IMPROVING  
SOLID

16 WASTE FACILITY COMPLIANCE IN CALIFORNIA.

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17 I'D LIKE TO SPECIFICALLY POINT  
OUT  
18 AND ACKNOWLEDGE DOROTHY RICE AND MARK DEBIE  
FOR THE  
19 OUTSTANDING EFFORT THEY CONTRIBUTED IN MAKING  
THIS  
20 A SUCCESSFUL CONFERENCE, AS WELL AS MANY OF  
THE  
21 FACILITATORS ON STAFF THAT WORKED LONG AND  
HARD  
22 MAKING THIS AN OUTSTANDING EVENT.  
23 MOVING ON, WITHIN THE LAST MONTH  
FOUR  
24 LOANS TOTALLING MORE THAN 2.6 MILLION CLOSED  
FOR  
25 BUSINESSES LOCATED THROUGHOUT THE STATE'S  
RECYCLING

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1       MARKETING DEVELOPMENT ZONE SYSTEM. WITH THE  
2       CLOSURES AND ONE MORE ANTICIPATED IN EARLY  
3       DECEMBER, WE EXPECT TO ECLIPSE THE MARK OF 25  
4       MILLION IN LOANS ISSUED THROUGH OUR RMDZ LOAN  
5       PROGRAM.

6                       THE MARKET DIVISION, IN  
CONJUNCTION

7       WITH THE PUBLIC AFFAIRS OFFICE, IS DEVELOPING A  
8       STRATEGY TO PUBLICIZE THIS SIGNIFICANT  
ACCOMPLISH-

9       MENT.

10                      AND ON FRIDAY, DECEMBER 11TH FROM  
10

11       A.M. TO 1 P.M. THE ASSEMBLY NATURAL RESOURCES  
12       COMMITTEE WILL HOLD A HEARING ON MARKET  
DEVELOPMENT

13       FOR RECYCLED PRODUCTS. CHAIRMAN PENNINGTON,  
BOARD

14       MEMBER RELIS, CAREN TRGOVCICH, AND MYSELF ARE  
15       SCHEDULED TO SPEAK AT THE HEARING. THEY INTEND  
TO

16       COVER THE BOARD'S MARKET DEVELOPMENT PROGRAM,  
THE

17       CURRENT MARKET SITUATION, AND THEIR IMPACTS ON



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18        DIVERSION PROGRAMS .

19                        STAFF CONTINUE TO MONITOR THE  
STATUS

20        OF JURISDICTIONS ON THE ENFORCEMENT LISTS THAT  
HAVE

21        NOT YET SUBMITTED THEIR SOURCE REDUCTION AND

22        RECYCLING ELEMENT AS WELL AS THEIR NONDISPOSAL

23        FACILITY ELEMENTS TO THE BOARD FOR

CONSIDERATION .

24        JURISDICTIONS THAT HAVE NOT SUBMITTED THE FINAL

25        DOCUMENTS BY EARLY DECEMBER WILL BE SCHEDULED

FOR A

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1 JANUARY PUBLIC HEARING AS THE NEXT STEP OF THE  
2 BOARD'S ENFORCEMENT PROCESS.

3 IN ADDITION, LETTERS WERE SENT TO  
4 JURISDICTIONS THAT HAVE NOT YET SUBMITTED THEIR  
5 HOUSEHOLD HAZARDOUS WASTE ELEMENT, SITING ELEMENTS,  
6 AND SUMMARY PLANS TO THE BOARD, REQUESTING A  
7 SCHEDULE FOR SUBMITTING THESE DOCUMENTS. STAFF IS  
8 WORKING WITH THESE JURISDICTIONS TO DEVELOP THEIR  
9 COMPLIANCE SCHEDULE AND WILL PRESENT AN AGENDA ITEM  
10 AT THE LOCAL ASSISTANCE AND PLANNING COMMITTEE  
11 MEETING IN JANUARY FOR CONSIDERATION OF THESE  
12 COMPLIANCE SCHEDULES.

13 AND FINALLY, AS INDICATED IN A MEMO  
14 SENT TO THE BOARD MEMBERS ON NOVEMBER 13TH, THE  
15 REPORT REQUESTED BY THE LEGISLATURE ON REVENUE AND  
16 EXPENDITURE PROJECTIONS FOR THE INTEGRATED WASTE  
17 MANAGEMENT ACCOUNT HAS BEEN FORWARDED TO CAL-EPA  
18 FOR DISTRIBUTION TO THE LEGISLATURE. AND THAT  
19 CONCLUDES MY REMARKS.

20 CHAIRMAN PENNINGTON: THANK YOU, MR.  
21 CHANDLER.

22 NOW WE'LL MOVE TO THE CONSENT  
23 CALENDAR. CONSENT CALENDAR INCLUDES ITEMS 6

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24        THROUGH 20 AND ITEM 27.    IS THERE ARE ANY BOARD  
25        MEMBER WHO WISHES TO PULL ANY ITEM OFF THE  
CONSENT

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1 CALENDAR?

2 BOARD MEMBER GOTCH: MR. CHAIR, I  
WOULD

3 LIKE TO PULL OFF ITEM 15 AND 16 JUST TO ASK A  
4 COUPLE QUESTIONS.

5 BOARD MEMBER CHESBRO: I'LL MOVE THE  
6 CONSENT CALENDAR WITH THAT CHANGE.

7 BOARD MEMBER GOTCH: I'LL SECOND.

8 CHAIRMAN PENNINGTON: IT'S BEEN MOVED  
AND

9 SECONDED THAT THE CONSENT CALENDAR BE ADOPTED  
10 INCLUDING ITEMS 6 THROUGH 14 AND 17 THROUGH 20  
AND

11 27. IF NO FURTHER DISCUSSION, WILL THE  
SECRETARY

12 CALL THE ROLL.

13 THE SECRETARY: BOARD MEMBER CHESBRO.

14 BOARD MEMBER CHESBRO: AYE.

15 THE SECRETARY: FRAZEE.

16 BOARD MEMBER FRAZEE: AYE.

17 THE SECRETARY: GOTCH.

18 BOARD MEMBER GOTCH: AYE.

19 THE SECRETARY: JONES.

20 BOARD MEMBER JONES: AYE.

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21 THE SECRETARY: RELIS.

22 BOARD MEMBER RELIS: AYE.

23 THE SECRETARY: CHAIRMAN PENNINGTON.

24 CHAIRMAN PENNINGTON: AYE. OKAY.

25 WE CAN MOVE TO ITEM 15 IF YOU

WISH.

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1 MRS. GOTCH.

2 I FAILED TO MENTION ON -- WHILE  
3 YOU'RE GETTING READY, I FAILED TO MENTION THAT  
4 THERE ARE SPEAKER SLIPS AT THE BACK OF THE ROOM;  
5 AND IF ANYBODY WISHES TO ADDRESS AN ITEM, PLEASE  
6 FILL ONE OUT AND HAND IT TO MRS. LOPEZ, WHO WILL  
7 MAKE SURE THAT I KNOW OF YOU DESIRE TO SPEAK.

8 ITEM 15.

9 MS. TRGOVCICH: ITEM NO. 15, MR. CHAIRMAN  
10 AND MEMBERS, IS CONSIDERATION OF APPOINTMENT OF  
11 MEMBERS TO THE LOAN COMMITTEE FOR THE RECYCLING  
12 MARKET DEVELOPMENT ZONE LOAN PROGRAM. AS YOU ARE  
13 AWARE, THIS ITEM WAS PRESENTED IN COMMITTEE; AND  
14 BASED UPON THE REGULATIONS THAT WERE APPROVED BY  
15 THE OFFICE OF ADMINISTRATIVE LAW SEVERAL MONTHS  
16 AGO, THIS ITEM SEEKS TO FILL NEW POSITIONS ON THE  
17 LOAN COMMITTEE AS WELL AS THE POSITION THAT ROXANNE  
18 MIDDLETON IS VACATING.

19 THIS ITEM PRESENTED THE NAMES OF  
20 SPECIFIC CANDIDATES TO THE COMMITTEE MEMBERS FOR  
21 THEIR CONSIDERATION. IN ADDITION, AT THE TIME OF  
22 THE PRESENTATION TO THE COMMITTEE MEETING, WE ALSO  
23 PROVIDED SOLICITATION TO A BROAD NUMBER OF  
24 INDIVIDUALS. AND IF YOU LIKE, WE COULD CERTAINLY

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25 GO INTO THAT INFORMATION FOR YOU.

29

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1                   BOARD MEMBER GOTCH:   CAREN.

2                   CHAIRMAN PENNINGTON:   MRS. GOTCH HAS SOME  
3                   QUESTIONS.

4                   BOARD MEMBER GOTCH:   THANK YOU, MR.

5                   CHAIR.   I WAS -- LET'S SEE.   I GUESS IF YOU COULD  
6                   GO OVER WHO ARE THE COMMITTEE MEMBERS NOW AS A  
7                   RESULT OF THE PENDING ACTIONS.   I HAD HEARD THAT --  
8                   AND WHETHER IT'S TRUE OR NOT I DON'T KNOW AND  
9                   THAT'S WHAT I'D LIKE YOU TO CLARIFY -- THAT LUPE  
10                  VELA MIGHT BE LEAVING FROM THE L.A. AREA.   THAT WAS  
11                  A RUMOR.   I HAD HEARD PERHAPS -- NEVER MIND.   I  
12                  WON'T GO INTO HOW I HEARD IT.   SAVE US ALL FROM  
13                  THIS.   SO WE DO HAVE THE L.A. AREA REPRESENTED THEN  
14                  BY HER?

15                  MS. TRGOVCICH:   CORRECT.

16                  BOARD MEMBER GOTCH:   I WANTED TO CONFIRM  
17                  THAT.

18                  AND THEN LAST TIME WE HAD A  
19                  DISCUSSION ABOUT THE LOAN COMMITTEE, SEVERAL ISSUES  
20                  WERE RAISED REGARDING THE NEW REGULATIONS,  
21                  PARTICULARLY GEOGRAPHIC REPRESENTATION AND THE  
22                  NUMBERS.   AND I'M WONDERING IF WE HAVE ADDRESSED OR  
23                  SHOULD WE ADDRESS OTHER COMMENTS SUCH AS MEMBERS OF  
24                  RECYCLED BASE BUSINESSES ON THE COMMITTEES.   I



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25       DON'T BELIEVE WE HAVE ANY REPRESENTATION IN THAT  
30

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1       AREA AS FAR AS I KNOW. YOU MAY CORRECT ME ON THAT,  
2       AND I'D LIKE TO BE CORRECTED ON THAT, OR WITH A  
3       BACKGROUND IN UNDERSTANDING.

4               MS. TRGOVCICH: MAYBE WHAT I'LL DO IS JUST  
5       VERY BRIEFLY KIND OF OUTLINE TWO THINGS, AND THEN  
6       BOB CAN PROVIDE ADDITIONAL DETAIL FOR YOU. THE  
7       LOAN COMMITTEE SERVES PRINCIPALLY AS A BODY TO  
8       REVIEW THE APPLICATIONS FROM A CREDIT PERSPECTIVE.  
9       SO THE FORMER REGULATIONS AND THE CURRENT REGULA-  
10      TIONS PROVIDE FOR EXPERTISE IN BOTH COMMERCIAL  
11      PRIVATE LENDING AREAS. SO THAT'S THE EXPERTISE  
12      WE'RE LOOKING FOR.

13              THAT WOULD CERTAINLY NOT PRECLUDE ANY  
14      RECYCLING COORDINATORS OR OTHERWISE WHO HAD THAT  
15      EXPERTISE FROM APPLYING OR FROM SOMEONE ELSE  
16      SUBMITTING THEIR NAME FOR OUR CONSIDERATION.

17              PERHAPS BOB CAN GO INTO GREATER  
18      DETAIL THE MAKEUP OF THE COMMITTEE.

19              MR. CAPUTI: THE COMMITTEE IS MADE UP  
20      BASICALLY OF BANKERS AND INDIVIDUALS WITH BANKING  
21      OR LENDING BACKGROUNDS IN THE PUBLIC SECTOR. AND I  
22      CAN JUST BRIEFLY GO THROUGH --

23              BOARD MEMBER GOTCH: THAT'S OKAY, BOB,  
24      BECAUSE I'VE READ THROUGH THIS AND I AM AWARE OF

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25        THAT.    I 'LL SAVE YOU THE EFFORT ON THAT.

31

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1                   BOARD MEMBER RELIS:  MS. GOTCH, I MIGHT  
2   JUST, IF I COULD, MR. CHAIR, ADD THAT I KNOW LUPE  
3   VELA, FOR ONE, HAS HAD EXTENSIVE EXPERIENCE WITH  
4   THE MANUFACTURING SECTOR IN L.A.  SO SHE BRINGS AN  
5   ECONOMIC DEVELOPMENT BACKGROUND WITH A -- MORE OF  
6   A, I GUESS, A DEVELOPMENT BACKGROUND FOR THEIR  
7   AB 939 PROGRAM.  I KNOW SHE'S QUITE FAMILIAR WITH  
8   THE INDUSTRIAL BASE IN L.A.

9                   FRAN AGUILERA, WHO'S ON OUR CANDIDATE  
10  POOL, OBVIOUSLY, AS A FORMER LOAN OFFICER FOR THIS  
11  BOARD, HAD EXTENSIVE INTERACTION WITH THE  
12  MANUFACTURING SECTOR.

13                   AND I DID TALK TO -- I DID ACTUALLY  
14  MEET WITH CURT CARPENTER, WHO IS ALSO A PENDING  
15  CANDIDATE.  HE DOES NOT HAVE AN EXTENSIVE  
16  BACKGROUND IN RECYCLING MANUFACTURING, BUT HE'S  
17  CERTAINLY FAMILIAR WITH IT.  AND WE DISCUSSED THE  
18  UNIQUE CHALLENGES OF, YOU KNOW, IN THIS INDUSTRY,  
19  SO I JUST OFFER THAT AS BACKGROUND.

20                   BOARD MEMBER GOTCH:  I APPRECIATE IT.  
21  THANK YOU, MR. RELIS.

22                   MS. TRGOVCICH:  ONE OF THE THINGS TOO FOR  
23  PURPOSES OF LOAN COMMITTEE MEETINGS THEMSELVES,

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24       WHAT WE FIND, SINCE THE MARKET DEVELOPMENT

25       COMMITTEE SERVES IN THE ROLE OF PROVIDING PROGRAM

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1 POLICY OVERSIGHT, THAT THE LOAN COMMITTEE'S  
2 DELIBERATIONS ARE FOCUSED SPECIFICALLY ON THE  
3 CREDIT ASPECTS OF THE APPLICATION. SO THE POLICY  
4 IMPLICATIONS ARE NOT DISCUSSED AT THE LOAN  
5 COMMITTEE LEVEL, BUT THEY ARE DISCUSSED EITHER IN  
6 ADVANCE WITH STAFF OR AT THE MARKET DEVELOPMENT  
7 COMMITTEE OR THROUGH THE APPEALS PROCESS BACK INTO  
8 THE COMMITTEE. SO THE COMMITTEE IS REALLY SERVING  
9 THAT FOCUS.

10 BOARD MEMBER GOTCH: THANK YOU. ONE QUICK  
11 LAST QUESTION. WE EXTENDED THE TERMS FROM TWO  
12 YEARS TO THREE YEARS. DO WE HAVE ANY SORT OF A  
13 TIME LIMIT, OR HAVE WE DISCUSSED ANY SORT OF A TIME  
14 LIMIT WITH THESE FOLKS? I REALIZE IT'S A VOLUNTARY  
15 POSITION, SO I APPRECIATE THEM VOLUNTEERING.

16 MR. CAPUTI: THERE ISN'T A TIME LIMIT.  
17 THE WAY WE'VE SET THE COMMITTEE UP, ONE-THIRD OF  
18 THE COMMITTEE TERMS WILL EXPIRE EACH YEAR. AND  
19 THEN IF THEY, AS HAS BEEN PAST PRACTICE, IF THEY  
20 EXPRESS AN INTEREST IN CONTINUING ON THE COMMITTEE,  
21 THEIR NAMES WILL BE RUN FORWARD TO MARKET DEVELOP-  
22 MENT AS A REAPPOINTMENT APPLICANT CANDIDATE.

23 BOARD MEMBER GOTCH: THANK YOU. I HAD

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24 NOTICED ONE OF THE REAPPOINTED MEMBERS WILL BE  
25 GOING INTO SEVEN YEARS. AND THAT'S WHY I WAS

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1       TAKING A LOOK AT THAT.  THANKS VERY MUCH.

2       APPRECIATE THE TIME AND THE ANSWERS.

3               CHAIRMAN PENNINGTON:  THANK YOU, MRS.

4       GOTCH.  WOULD YOU LIKE TO MOVE THE ITEM?

5               BOARD MEMBER GOTCH:  YES.  I WILL MOVE

6       CONCURRENCE, I GUESS, THE COMMITTEE RECOMMENDATION.

7       THANK YOU.

8               BOARD MEMBER JONES:  I'LL SECOND IT.

9               CHAIRMAN PENNINGTON:  IT'S BEEN MOVED AND

10       SECONDED THAT THE COMMITTEE RECOMMENDATION ON ITEM

11       15 BE APPROVED.  IF THERE'S NO FURTHER DISCUSSION,

12       WILL THE SECRETARY CALL THE ROLL.

13               THE SECRETARY:  BOARD MEMBER CHESBRO.

14               BOARD MEMBER CHESBRO:  AYE.

15               THE SECRETARY:  FRAZEE.

16               BOARD MEMBER FRAZEE:  AYE.

17               THE SECRETARY:  GOTCH.

18               BOARD MEMBER GOTCH:  AYE.

19               THE SECRETARY:  JONES.

20               BOARD MEMBER JONES:  AYE.

21               THE SECRETARY:  RELIS.

22               BOARD MEMBER RELIS:  AYE.

23               THE SECRETARY:  CHAIRMAN PENNINGTON.

24               CHAIRMAN PENNINGTON:  AYE.  MOTION



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25 CARRIES.

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1                   NOW WE'LL MOVE TO ITEM 16.

2                   MS. TRGOVCICH:   ITEM 16, MR. CHAIRMAN AND  
3                   MEMBERS, IS CONSIDERATION OF ADOPTION OF PROPOSED  
4                   REGULATIONS TO THE RECYCLING MARKET DEVELOPMENT  
5                   REVOLVING LOAN PROGRAM.

6                   BOARD MEMBER GOTCH:   I'M GOING TO SAVE YOU  
7                   THE EFFORT.   MOVE COMMITTEE RECOMMENDATION.   THANK  
8                   YOU.

9                   CHAIRMAN PENNINGTON:   MRS. GOTCH MOVES THE  
10                  COMMITTEE RECOMMENDATION ON ITEM 16.

11                  BOARD MEMBER JONES:   I'LL SECOND IT.

12                  CHAIRMAN PENNINGTON:   THERE BEING NO  
13                  FURTHER DISCUSSION, WILL THE SECRETARY CALL THE  
14                  ROLL.

15                  THE SECRETARY:   BOARD MEMBER CHESBRO.

16                  BOARD MEMBER CHESBRO:   AYE.

17                  THE SECRETARY:   FRAZEE.

18                  BOARD MEMBER FRAZEE:   AYE.

19                  THE SECRETARY:   GOTCH.

20                  BOARD MEMBER GOTCH:   AYE.

21                  THE SECRETARY:   JONES.

22                  BOARD MEMBER JONES:   AYE.

23                  THE SECRETARY:   RELIS.

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24 BOARD MEMBER RELIS: AYE.

25 THE SECRETARY: CHAIRMAN PENNINGTON.

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1                   CHAIRMAN PENNINGTON:    AYE.    MOTION  
2    CARRIES.

3                   WE'LL MOVE TO ITEM 22, CONSIDERATION  
4    OF A REVISED SOLID WASTE FACILITY PERMIT FOR THE  
5    EDOM HILL SANITARY LANDFILL IN RIVERSIDE COUNTY.  
6    MS. RICE.

7                   MS. RICE:    THANK YOU, MR. CHAIRMAN AND  
8    MEMBERS.    DAVE OTSUBO WILL MAKE THE STAFF  
9    PRESENTATION ASSISTED BY LAURIE HOLK WITH THE LOCAL  
10   ENFORCEMENT AGENCY FOR RIVERSIDE COUNTY.

11                  MR. OTSUBO:   MORNING, MR. CHAIRMAN AND  
12   MEMBERS OF THE BOARD.   THIS ITEM REGARDS PROPOSED  
13   REVISED SOLID WASTE FACILITY PERMIT FOR THE EDOM  
14   HILL SANITARY LANDFILL.   THIS FACILITY IS LOCATED  
15   NEAR PALM SPRINGS AND IS ADJACENT TO THE CLOSED  
16   WHITEFEATHER FARMS COMPOST FACILITY AT THE BOUNDARY  
17   OF CATHEDRAL CITY.   IT IS OPERATED BY THE RIVERSIDE  
18   COUNTY WASTE RESOURCES MANAGEMENT DISTRICT ON LAND  
19   OWNED BY THE BUREAU OF LAND MANAGEMENT.

20                  THE CURRENT PERMIT WAS ISSUED IN  
21   1992.   THE PROPOSED PERMIT WOULD ALLOW THE SITE TO  
22   INCREASE ITS PERMITTED TONNAGE FROM 2600 -- FROM  
23   1200 TO 2651 TONS PER DAY, INCREASE THE MAXIMUM  
24   ELEVATION BY 40 FEET, INCREASE THE FACILITY SIZE BY

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25        15 ACRES, AND ACTUALLY REDUCES THE PERMITTED  
36

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1 DISPOSAL FOOTPRINT FROM 400 TO 148 ACRES.

2 THE OPERATOR WISHES THE INCREASED  
3 TONNAGE TO ACCEPT WASTES FORMERLY GOING TO THE NOW  
4 CLOSED COACHELLA LANDFILL.

5 A STIPULATED ORDER OF COMPLIANCE WAS  
6 ISSUED ON OCTOBER 22D WHICH GIVES THE OPERATOR  
7 UNTIL JULY 31, 1998, TO OBTAIN A REVISED PERMIT.  
8 IT SHOULD BE NOTED THAT THIS SITE IS LOCATED ON THE  
9 MAIN SOUTHERN BRANCH OF THE SAN ANDREAS FAULT.

10 AT THE TIME THAT BOTH THE COMMITTEE  
11 AND BOARD ITEMS WERE WRITTEN, STAFF HAD NOT  
12 VERIFIED THE LEA'S FINDINGS OF CONFORMANCE WITH THE  
13 PUBLIC RESOURCES CODE SECTIONS 50000 AND 50000.5,  
14 THE SITE'S COMPLIANCE WITH STATE MINIMUM STANDARDS,  
15 ADEQUACY OF CEQA DOCUMENTATION, OR ADEQUACY OF THE  
16 FINANCIAL ASSURANCE REQUIREMENTS.

17 SINCE THAT TIME STAFF OF THE BOARD'S  
18 OFFICE OF LOCAL ASSISTANCE HAVE VERIFIED THE  
19 CONFORMANCE WITH THE COUNTY SOLID WASTE MANAGEMENT  
20 PLAN, GENERAL PLAN, AND ADJACENT LANDS USES. ON  
21 OCTOBER 30TH PERMITTING AND INSPECTION BRANCH STAFF  
22 CONDUCTED A JOINT INSPECTION OF THE SITE WITH THE  
23 LEA AND NOTED NO VIOLATIONS OF STATE MINIMUM  
24 STANDARDS.

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25

FINANCIAL ASSURANCES STAFF HAVE  
37

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1 DETERMINED THAT THE FUNDING FOR POSTCLOSURE --  
2 CLOSURE/POSTCLOSURE MAINTENANCE AND OPERATING  
3 LIABILITY DOCUMENTATION ARE IN ORDER.

4 ENVIRONMENTAL REVIEW SECTION STAFF  
5 HAVE REVIEWED AND COMMENTED ON THE DRAFT EIR, HAVE  
6 RECENTLY REVIEWED THE FINAL EIR, AND BELIEVE THAT  
7 THE LEAD AGENCY HAS MADE THE REQUIRED CEQA DOCUMEN-  
8 TATIONS AND RESPONDED TO STAFF COMMENTS. THERE-  
9 FORE, ENVIRONMENTAL REVIEW SECTION STAFF HAVE  
10 DETERMINED THAT THE CEQA DOCUMENTATION IS ADEQUATE  
11 FOR BOARD CONSIDERATION FOR THOSE PROJECT  
12 ACTIVITIES WHICH ARE WITHIN THIS AGENCY'S JURISDIC-  
13 TION.

14 PLEASE NOTE THAT CATHEDRAL CITY HAS  
15 CHALLENGED THE ADEQUACY OF THE EIR. THEY HAVE ALSO  
16 RECENTLY CHALLENGED THE LEA'S STIPULATED ORDER OF  
17 COMPLIANCE. NO ACTION HAS YET BEEN TAKEN IN THESE  
18 MATTERS.

19 IN ADDITION, THE LEA HAS MADE THE  
20 REQUIRED FINDING THAT THE PROPOSED PERMIT IS  
21 CONSISTENT WITH EXISTING CEQA DOCUMENTATION.  
22 STAFF, THEREFORE, RECOMMEND THAT THE BOARD  
ADOPT  
23 RESOLUTION 97-503, CONCURRING IN THE ISSUANCE



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OF

24 SOLID WASTE FACILITY PERMIT 33-AA-0011. AND

THIS

25 CONCLUDES MY PRESENTATION.

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1                   CHAIRMAN PENNINGTON:    OKAY.

2                   BOARD MEMBER CHESBRO:   MR. CHAIRMAN.

3       COUPLE QUESTIONS.   ONE IS HAVE WE REVIEWED THE  
4       CITY'S ALLEGATIONS ABOUT THE CEQA AND MADE A  
5       DETERMINATION IN TERMS OF WHETHER IT ADEQUATELY, IN  
6       FACT, MEETS OUR NEEDS AND REQUIREMENTS?

7                   MS. TOBIAS:   IF I MAY RESPOND TO THAT, MR.  
8       CHESBRO.   I HAVE LOOKED AT THE LETTER, AND I WILL  
9       AGAIN POINT OUT TO YOU, ALTHOUGH WE DISCUSSED AT  
10      THE BEGINNING OF THE MEETING, THAT THERE IS A  
11      LETTER THAT SHOULD BE INCLUDED IN THE ADMINISTRA-  
12      TIVE RECORD FROM THE CITY OF CATHEDRAL CITY THAT  
13      OUTLINES THEIR OBJECTIONS TO THIS EIR.

14                  HOWEVER, UNDER PRC SECTION 21167.3,  
15      THE BOARD IS REQUIRED, AS A RESPONSIBLE AGENCY, TO  
16      HEAR THIS ITEM AND RELY ON THE EXISTING CEQA  
17      DOCUMENTATION UNLESS THERE IS AN INJUNCTION OR A  
18      STAY OBTAINED BY THE OPPOSITION.   SO THE RULE UNDER  
19      CEQA IS THAT THE APPLICANT CAN PROCEED AT THEIR OWN  
20      RISK.   OF COURSE, IF THE UNDERLYING CEQA DOCUMENTA-  
21      TION IS FOUND INVALID OR INADEQUATE BY A JUDGE,  
22      THEN OUR POSITION HAS BEEN THAT THAT PERMIT -- THAT  
23      OUR PERMIT WOULD BE VOID AND THAT WHEN THE CEQA

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24        DOCUMENTATION IS REVISED, THEN THE BOARD WILL  
25        RECONSIDER THE CEQA DOCUMENTATION AND THE PERMIT.

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1                   BOARD MEMBER CHESBRO:   WELL, I'M NOT  
2   NECESSARILY ADVOCATING THAT WE AGREE WITH THE CITY  
3   AT THIS POINT, BUT WE HAVE ON THE POINT YOU JUST  
4   MADE, IN FACT, IN THE PAST DETERMINED THAT THE CEQA  
5   DOCUMENT WHICH WAS PRESENTED TO US DID NOT  
6   ADEQUATELY ANALYZE THE ISSUES WHICH WE HAD BEFORE  
7   US.   THE ONE IN CHICAGO GRADE -- NOT CHICAGO GRADE,  
8   THE OTHER ONE IN PASO ROBLES IS AN EXAMPLE, MOST  
9   RECENT EXAMPLE THAT I'M AWARE OF.   SO I'D HATE TO  
10  GO DOWN THIS ROAD OF THIS TECHNICAL LEGAL  
11  DISCUSSION, BUT AM I WRONG THAT WE HAVE THAT  
12  AUTHORITY?

13                  MS. TOBIAS:   THE CITY OF PASO ROBLES  
14  LANDFILL IS ACTUALLY A DIFFERENT SITUATION, AND I  
15  DON'T KNOW IF MARK DEBIE IS IN THE AUDIENCE OR BOB  
16  HOLMES, BUT LET ME TRY TO RECONSTRUCT IT FROM MY  
17  MEMORY.   AND THAT WAS AT THAT TIME IN REVIEWING THE  
18  DOCUMENTATION, THE CEQA STAFF AND THE LEGAL OFFICE  
19  FELT THAT THE ENVIRONMENTAL DOCUMENTATION THAT THE  
20  CITY HAD RELIED ON WAS INADEQUATE.

21                  BOARD MEMBER CHESBRO:   MY ONLY QUESTION TO  
22  STAFF WAS IS THE ENVIRONMENTAL INFORMATION THAT'S  
23  BEEN SUBMITTED TO US UNDER CEQA ADEQUATE?   I MEAN  
24  THAT'S THE WINDOW THAT I WAS ASKING THE QUESTION

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25        IN, I THINK.

40

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1                   MS. TOBIAS: I THINK STAFF AND LEGAL  
2 OFFICE HAVE REVIEWED IT AND FIND THAT IT IS  
3 ADEQUATE AT THIS TIME.

4                   BOARD MEMBER CHESBRO: BUT I WAS TRYING TO  
5 ALSO LOOK AT IT THROUGH THE LENS OF WHAT THE CITY  
6 IS ALLEGING IS INADEQUATE AND WHETHER OR NOT WE  
7 HAVE LOOKED AT THE LETTER AND SAID, "GEE, THERE'S  
8 SOMETHING THAT WE HADN'T THOUGHT OF." YOU KNOW,  
9 I'M JUST LOOKING TO FIND OUT WHETHER OR NOT WE'VE  
10 TAKEN A SECOND LOOK AT THE QUESTION BASED ON THE  
11 FACT THAT WE RECEIVED COMMUNICATION SAYING THAT  
12 CEQA IN THIS CASE WAS NOT ADEQUATE.

13                  MS. TOBIAS: I GUESS I'M MISSING THE  
14 QUESTION BECAUSE I HAVE LOOKED AT IT. THEY ARE  
15 QUESTIONING ISSUES OF SEISMIC SAFETY, AND I THINK  
16 THAT STAFF, IN LOOKING AT THIS, HAS FOUND THAT THE  
17 UNDERLYING DOCUMENTATION IS SATISFACTORY FOR OUR  
18 NEEDS. SO WE HAVE LOOKED AT IT, AND WE DO  
19 UNDERSTAND WHAT THEIR CONCERNS ARE.

20                  BOARD MEMBER CHESBRO: I WAS JUST LOOKING  
21 FOR A LITTLE MORE SPECIFICITY, NOT JUST THE GENERAL  
22 RESPONSE, YES, IT MEETS CEQA. BUT CITY SAID THIS;  
23 WE LOOKED AT THAT, AND MADE A DETERMINATION THAT,

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24        YOU KNOW, BASED ON SOMETHING THAT CEQA IS  
25        ADEQUATE.    I MEAN I WAS LOOKING FOR A LITTLE MORE  
                                 41

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1       SUBSTANCE THAN JUST, YOU KNOW, SAYING THAT, YOU  
2       KNOW, IN GENERAL, VERY, VERY GENERAL TERMS WE FOUND  
3       THAT CEQA IS ADEQUATE IN THE CASE.  SO...

4               MS. TOBIAS:  SO HAVE I ANSWERED YOUR  
5       QUESTION?

6               BOARD MEMBER CHESBRO:  KINDA.  I REALLY  
7       WASN'T INTENDING TO RAISE A BIG ISSUE.  I WAS JUST  
8       LOOKING FOR SOME REASSURANCE.

9               MR. OTSUBO:  ANOTHER ONE OF THE CONCERNS  
10      WAS GROUNDWATER.

11              BOARD MEMBER CHESBRO:  SEISMIC WAS --  
12      EXCUSE ME?

13              MR. OTSUBO:  GROUNDWATER WAS ANOTHER ONE  
14      OF THEIR MAJOR ISSUES.

15              BOARD MEMBER CHESBRO:  AND THE FINDING  
16      THERE WAS -- OR THE RESPONSE THERE WAS?

17              MR. OTSUBO:  WELL, I DID DIRECT ENFORCE-  
18      MENT STAFF TO CONTACT STAFF OF THE REGIONAL WATER  
19      QUALITY CONTROL BOARD, AND THEIR STAFF INDICATED  
20      THAT THERE'S NO EVIDENCE OF GROUNDWATER CONTAMINA-  
21      TION AT THE SITE.  THAT'S -- OF COURSE, THAT  
22      PROBABLY DIFFERS FROM WHAT THE CITY WOULD SAY.

23              BOARD MEMBER CHESBRO:  THAT'S THE KIND OF  
24      ANSWER I WAS LOOKING FOR.  THANK YOU.  JUST TO KIND



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25        OF FIND OUT HOW WE RESPONDED IF SOMEBODY ALLEGED  
42

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1       SOMETHING, YOU KNOW.

2                   I GUESS THE OTHER QUESTION, AND I  
3       REALIZE THIS IS REMOTELY RELATED, EVEN THOUGH IT'S  
4       GEOGRAPHICALLY RIGHT NEXT DOOR, IS WHAT IS THE  
5       STATUS OF THE PREVIOUSLY UNCLEANED UP WHITEFEATHER  
6       FARMS ISSUE? AND I KNOW THAT SOMEBODY IS GOING TO  
7       SAY, PROBABLY THE ATTORNEY, YOU KNOW, IT'S NOT PART  
8       OF THIS PERMIT. BUT I WANT TO REMIND EVERYONE THAT  
9       IN THE CASE OF OXFORD AND MELP WE DID KIND OF MAKE  
10      A CONNECTION BETWEEN TWO ADJOINING PROBLEMS THAT  
11      DID HAVE A RELATIONSHIP TO EACH OTHER. AND WHETHER  
12      OR NOT UNDER OUR AUTHORITY WHETHER OR NOT IT DOES,  
13      IN FACT, THERE IS A RELATIONSHIP BETWEEN WHAT'S  
14      HAPPENED AT WHITEFEATHER FARMS AND WHAT'S HAPPENED  
15      WITH THE LANDFILL. SO I'M KIND OF CURIOUS ABOUT  
16      WHAT THE STATUS OF THAT CLEANUP ISSUE IS NEXT DOOR  
17      TO THE LANDFILL.

18                MS. HOLK: CHAIRMAN PENNINGTON, MEMBER  
19      CHESBRO, LAURIE HOLK, RIVERSIDE COUNTY LEA.  
20      CURRENTLY AT THE WHITEFEATHER FARMS, THE CITY AND  
21      THE LANDOWNER ARE STILL WORKING TOGETHER TO DO A  
22      JOINT PROJECT ON THAT FACILITY. THEY HAVE -- THE  
23      CITY IS GOING TO BE TAKING OVER THAT -- THE TEN  
24      ACRES AND THEN LEASING IT OUT TO A PRIVATE COMPANY

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25 TO CLEAN UP THE FACILITY AND RUN ANOTHER  
COMPOSTING

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1 FACILITY ON THAT SAME PROPERTY.

2 EVEN THOUGH IT'S STILL IN AN AREA  
3 THAT'S NOT ZONED FOR THAT, THE CITY IS WORKING ON  
4 THE JOINT PROJECT WITH ANOTHER COMPANY.

5 BOARD MEMBER CHESBRO: OKAY. I COULD  
6 COMMENT ON SORT OF THE CIRCUITOUS ROUTE BY WHICH  
7 THEY'RE GETTING THERE, YOU KNOW, SORT OF FORCING  
8 ONE COMPANY OUT OF BUSINESS BEFORE ENTICING ANOTHER  
9 ONE. BUT I GUESS, AGAIN, THAT'S NOT TOO RELEVANT  
10 TO THE STATE STANDARDS INVOLVED AT THE LANDFILL.

11 CHAIRMAN PENNINGTON: OKAY. ANY OTHER  
12 QUESTIONS OF STAFF? MR. FRAZEE. WE DO HAVE  
13 SOMEBODY IN THE AUDIENCE WHO WISHES TO ADDRESS. GO  
14 AHEAD, MR. FRAZEE.

15 BOARD MEMBER FRAZEE: THE QUANTITY OF  
16 WASTE BEING TAKEN TO LANDFILL NOW EXCEEDS THE  
17 PERMIT, AND SO IT'S BEING ACCEPTED UNDER A  
18 STIPULATED NOTICE AND ORDER; IS THAT CORRECT?

19 MS. HOLK: THAT'S CORRECT.

20 BOARD MEMBER FRAZEE: AND BECAUSE OF THE  
21 CLOSURE OF THE COACHELLA LANDFILL, WHAT IS THE  
22 ALTERNATIVE IF THIS PERMIT WAS NOT GRANTED? AND  
23 I -- TO PUT THAT IN CONTEXT, THE CITY OF CATHEDRAL  
24 CITY IS RECOMMENDING THAT EAGLE MOUNTAIN COULD BE

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25 THE ALTERNATIVE. BUT IN MY CALCULATIONS THE  
44

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1 ESTIMATED CLOSURE DATE OF THIS FACILITY IS 2002.  
2 AND LOOKING AT HOW LONG IT'S TAKEN EAGLE MOUNTAIN  
3 SO FAR, I CAN EXPECT THAT THEY MAY BE OPEN BY 2002,  
4 AND THAT MIGHT BE AN ADEQUATE TRANSITION DATE. BUT  
5 WHAT IS THE ALTERNATIVE TO DISPOSAL?

6 MS. HOLK: THE ONLY ALTERNATIVE RIGHT NOW  
7 WOULD BE TO TRANSPORT TO LAMBS CANYON OR BADLANDS.  
8 THERE WERE THREE TRANSFER STATIONS IN THE VALLEY,  
9 PROJECTS THAT STARTED. TWO OF THEM, THE CBAG  
10 TRANSFER STATION HAS STALLED AND IS NO LONGER  
11 VIABLE. THE INDIO TRANSFER STATION THAT I TALKED  
12 AT THE COMMITTEE MEETING, SINCE THE COMMITTEE  
13 MEETING HAS ALSO BEEN KILLED. AND THE CITY OF  
14 INDIO IS NOW WORKING WITH THE CITY OF COACHELLA TO  
15 POSSIBLY OPEN THE ONE TRANSFER STATION THAT HAS  
16 BEEN PERMITTED AT THE OLD COACHELLA LANDFILL, BUT  
17 THAT HAS YET NOT TO BE OPEN.

18 BOARD MEMBER FRAZEE: AND SO WHAT WOULD  
19 THE LENGTH OF THE HAUL BE THEN FOR THE TRANSFER  
20 TRUCKS?

21 MS. HOLK: IT'S APPROXIMATELY 40 MILES ONE  
22 WAY TO LAMBS CANYON AND ABOUT 50 MILES TO BADLANDS.  
23 AND THAT RIGHT NOW THERE'S NO TRANSFER TRUCKS TO DO

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24       IT.   IT WOULD HAVE TO BE THE GARBAGE TRUCKS  
25       THEMSELVES GOING TO THE OTHER LANDFILLS, AND THE

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1       HAULERS HAVE ALREADY STATED THAT THEY ARE UNWILLING  
2       TO DO THAT.

3               BOARD MEMBER FRAZEE:    OKAY.    THANK YOU.

4               CHAIRMAN PENNINGTON:   THANK YOU, MR.

5       FRAZEE.   NOW WE'LL HEAR FROM MR. ROBERT NELSON,  
6       RIVERSIDE COUNTY RESOURCE MANAGEMENT DISTRICT.

7               MR. NELSON:    THANK YOU, MR. CHAIRMAN AND  
8       MEMBERS OF THE COMMITTEE.   I WANT TO THANK YOU FOR  
9       ALLOWING US TO GO EARLY.   WE DO HAVE AN EL SOBRANTE  
10      PLANNING COMMISSION HEARING THIS AFTERNOON, AND  
11      THAT WAS MY REASON FOR REQUESTING TO GO EARLY.  
12      THAT IS A FAIRLY IMPORTANT ITEM TO US TOO, SO I'M  
13      TRYING TO GET BACK FOR THAT.

14              IF SOMEBODY COULD SHOW ME HOW TO TURN  
15      THIS VIEWER ON, I'D LIKE TO SHOW A VIEW OF THE  
16      VALLEY SO YOU GET THE RELATIONSHIP BETWEEN  
17      THE -- LET ME START AGAIN BY SAYING I AM ROBERT  
18      NELSON, GENERAL MANAGER AND CHIEF ENGINEER FOR THE  
19      RIVERSIDE COUNTY WASTE DISTRICT.

20              THIS PERMIT, AS YOU KNOW, IS ON  
21      BEHALF OF THE COUNTY WITH THE DISTRICT AS THE  
22      OPERATOR.   AND THE COUNTY WAS THE LEAD AGENCY IN  
23      PROCESSING THE EIR FOR THE PROJECT.



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24 THE STUDY STARTED IN 1993; AND AS HAS  
25 BEEN MENTIONED, THE COACHELLA LANDFILL, WHICH WAS

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1       OUR OTHER MAJOR LANDFILL IN THE VALLEY, WAS CLOSED  
2       IN MAY OF '97. IT REACHED ITS CAPACITY AND WE'RE  
3       NOW ABOUT TO GO TO BID ON THE CLOSURE FOR THAT  
4       FACILITY. SO VIRTUALLY ALL WASTE NOW GOES TO EDM  
5       HILL OUT OF THIS VALLEY. IT'S SERVING A POPULATION  
6       OF ABOUT A THIRD OF A MILLION PEOPLE, AND IT'S  
7       DELIVERING ABOUT A THIRD OF A MILLION TONS PER YEAR  
8       SOMEWHERE, AND THAT PLACE NOW IS EDM HILL.

9               AS HAS BEEN MENTIONED, THE CURRENT  
10       PERMIT AT EDM HILL ALLOWED LANDFILLING ON ABOUT  
11       400 ACRES OF THE SQUARE MILE THAT WE HAVE LEASED  
12       FROM BLM. THE NEW PERMIT CUTS THAT BACK TO THE  
13       CURRENT FOOTPRINT ONLY, AND THAT'S ABOUT 148  
14       ACRES. WE'RE PROPOSING TO RAISE THE HEIGHT OF THE  
15       LANDFILL ON ONE END BY ABOUT 40 FEET, AND THAT IS  
16       EXPECTED TO EXTEND ITS LIFE FROM ABOUT FOUR AND A  
17       HALF YEARS NOW TO ROUGHLY SIX AND A HALF YEARS IF  
18       ALL OF THE VALLEY WASTE CONTINUES TO GO THERE.

19               I HAVE WITH ME TWO CONSULTANTS THAT  
20       WE ARE USING, ONE ON THE DESIGN OF THE LANDFILL AND  
21       THE TECHNICAL ADEQUACY AND THAT'S EMCON. DON  
22       ANDRES IS HERE WITH ME IF YOU HAVE QUESTIONS WHICH  
23       YOU MIGHT WANT TO ASK OF HIM. AND WE ALSO HAVE OUR  
24       LEGAL CONSULTANT IF YOU HAVE QUESTIONS ON THE LEGAL

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25 STATUS, JOHN MADDOX WITH REMY, THOMAS AND MOORE --  
47

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1       AND MOOSE, I MEAN, FROM HERE IN TOWN.  THEY'RE BOTH  
2       HERE WITH ME IF YOU HAVE QUESTIONS FOR THEM.

3                       THE SITE IS LOCATED ON AN ACTIVE  
4       FAULT, BUT THE DESIGN PROVIDES FOR THAT POTENTIAL  
5       MOVEMENT AND THERE'S VERY, VERY DEEP GROUNDWATER,  
6       AND THERE IS NO EVIDENCE OF IMPACTS TO THE  
7       GROUNDWATER.  AND THERE'S VERY, VERY LOW ANNUAL  
8       PRECIPITATION AT THIS SITE.

9                       WITH THAT, I THINK I WILL STOP MY  
10      PRESENTATION UNLESS YOU HAVE QUESTIONS OF EITHER ME  
11      OR SOME OF OUR CONSULTANTS.

12                      CHAIRMAN PENNINGTON:  QUESTIONS?

13                      BOARD MEMBER RELIS:  MR. CHAIR, THIS ISN'T  
14      DIRECTED TO THE APPLICANT, IT'S MORE BECAUSE I  
15      SUPPORTED THIS PERMIT IN COMMITTEE.  I DID MAKE A  
16      COMMENT THAT I DID FEEL SOME UNEASE ABOUT THE IDEA  
17      OF VERTICAL EXPANSIONS OVER UNLINED LANDFILLS.  BUT  
18      THERE'S NO INDICATION HERE THAT THAT'S UNWARRANTED.

19                      BUT I WOULD ASK MR. CHANDLER.  I KNOW  
20      WE HAD A DISCUSSION ABOUT POSSIBLY GETTING SOME  
21      COORDINATION BETWEEN OUR BOARD AND THE WATER BOARD  
22      THROUGH CAL-EPA TO LOOK AT THIS ISSUE BECAUSE I  
23      SEE, YOU KNOW, SOMETHING OF A DISPARITY.  WE  
24      HAVE -- IT WAS BROUGHT TO MY ATTENTION, I THINK,

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25        THAT BFI AND THEY'RE PROPOSED -- MAY BE COMING  
48

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1 FORWARD AT SOME POINT WITH AN EXPANSION AT SUNSHINE  
2 CANYON LANDFILL WHICH WOULD CALL FOR A LINER OVER  
3 AN UNLINED SECTION.

4 AND I JUST AM A BIT CONFUSED ABOUT  
5 THE CLEAR INTENT OF SUBTITLE D WITH REGARDS TO  
6 VERTICAL EXPANSIONS AND WHAT THE BOARD AND ITS  
7 COORDINATIVE ROLE SHOULD BE WITH OUR SISTER AGENCY  
8 SINCE THEY HAVE THE WATER RESPONSIBILITY.

9 MR. CHANDLER: YEAH. WE HAVE TALKED AND,  
10 MEMBERS, I INTEND TO CONTINUE TO GET A LITTLE BIT  
11 MORE BACKGROUND ON GENERICALLY THE SITES THAT ARE  
12 BEING PROPOSED AROUND THE STATE FOR VERTICAL  
13 EXPANSIONS AND JUST TALK TO THE WATER BOARD AND ASK  
14 WHAT KIND OF COORDINATIVE ROLE WE CAN PLAY WITH  
15 THEIR REGIONAL BOARDS AS WE LOOK TOGETHER AT THESE  
16 FACILITIES FOR PERMITTING SO THAT WE HAVE ANOTHER  
17 CONTEXT IN WHICH THE REGIONAL BOARD IS LOOKING AT  
18 TYPES OF SITES AS WHY THEY FEEL COMFORTABLE THAT  
19 VERTICAL EXPANSIONS OVER UNLINED FACILITIES IS  
20 APPROPRIATE.

21 SO I'LL BE UPDATING YOU MORE AS I  
22 BEGIN THOSE DISCUSSIONS, BUT I HAVE TALKED TO THE  
23 AGENCY AND MR. PETTIT ALREADY ABOUT THIS ISSUE AND  
24 THE FACT THAT WE NEED TO BETTER UNDERSTAND OUR

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25 RESPONSIBILITIES AS IT RELATES TO THE REGIONAL  
49

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1       BOARDS .

2               BOARD MEMBER RELIS:   IF WE COULD GET A  
3       REPORT BACK AT SOME POINT OF WHAT YOU'VE DETERMINED  
4       FROM THAT AND WHETHER WE NEED TO DO ANYTHING  
5       FURTHER, I WOULD CERTAINLY APPRECIATE IT.

6               MR. HOLK:   AND, MR. CHAIRMAN, IF I MAY  
7       ADD, AT THE TIME THAT THE EXPANSION WAS DONE ON  
8       THIS, THE WATER BOARD KIND OF HAD THEIR CHOICE OF  
9       DOING A LATERAL EXPANSION WHERE THERE ACTUALLY WAS  
10      ROOM TO DO A LATERAL EXPANSION WITH LINING AT THIS  
11      FACILITY OR VERTICAL EXPANSION, AND THEY CHOSE THE  
12      VERTICAL EXPANSION.

13              CHAIRMAN PENNINGTON:   VERY GOOD.   ANY  
14      FURTHER QUESTIONS OF MR. NELSON?   ANY FURTHER  
15      QUESTIONS OF STAFF?

16              BOARD MEMBER JONES:   MR. CHAIRMAN.

17              CHAIRMAN PENNINGTON:   YES, MR. JONES.

18              BOARD MEMBER JONES:   I WOULD LIKE TO MAKE  
19      A MOTION THAT WE ADOPT RESOLUTION 97-503 FOR THE  
20      PERMIT -- ISSUANCE OF A PERMIT.

21              BOARD MEMBER RELIS:   I'LL SECOND.

22              CHAIRMAN PENNINGTON:   OKAY.   IT'S BEEN  
23      MOVED AND SECONDED THAT RESOLUTION 97-503 BE  
24      ADOPTED.   ANY FURTHER DISCUSSION?   MR. CHESBRO.



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25

BOARD MEMBER CHESBRO: ONE LAST TIME, AND  
50

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1 I INTEND TO VOTE FOR THIS, BUT I CONTINUE TO HAVE  
2 CONCERN ABOUT THE CLEANUP OF THE ADJACENT SITE. WE  
3 ATTEMPTED TO PARTNER WITH THE COUNTY UNSUCCESS-  
4 FULLY. I CERTAINLY HOPE THAT SOME OTHER ALTERNA-  
5 TIVE IS SUCCESSFUL IN GETTING THE SITE CLEANED UP  
6 THAT'S ADJACENT TO THE LANDFILL.

7 CHAIRMAN PENNINGTON: I THINK WE ALL AGREE  
8 WITH THAT. IF THERE'S NO FURTHER DISCUSSION, WILL  
9 THE SECRETARY CALL THE ROLL.

10 THE SECRETARY: BOARD MEMBER CHESBRO.

11 BOARD MEMBER CHESBRO: AYE.

12 THE SECRETARY: FRAZEE.

13 BOARD MEMBER FRAZEE: AYE.

14 THE SECRETARY: GOTCH.

15 BOARD MEMBER GOTCH: AYE.

16 THE SECRETARY: JONES.

17 BOARD MEMBER JONES: AYE.

18 THE SECRETARY: RELIS.

19 BOARD MEMBER RELIS: AYE.

20 THE SECRETARY: CHAIRMAN PENNINGTON.

21 CHAIRMAN PENNINGTON: AYE. MOTION  
22 CARRIES.

23 WE'LL MOVE NOW TO ITEM NO. 4,  
24 CONSIDERATION OF APPROVAL OF THE '97-'98 FISCAL

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25        YEAR CONTRACT CONCEPTS.    KARIN FISH.  
51

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1                   MS. FISH:  THANK YOU, CHAIRMAN PENNINGTON,  
2   BOARD MEMBERS.  I'M KARIN FISH, DIRECTOR OF THE  
3   ADMINISTRATION AND FINANCE DIVISION.  I'D LIKE TO  
4   INTRODUCE ITEM 4, WHICH IS THE CONSIDERATION OF THE  
5   APPROVAL OF THE 1997 CONTRACT CONCEPTS.

6                   THE PREVIOUS ACTION TAKEN IS BEFORE  
7   YOU, WHAT WAS TAKEN BY THE ADMINISTRATION COMMITTEE  
8   EARLIER IN THE MONTH.  AND SO IF YOU'D LIKE TO OPEN  
9   THIS UP FOR DISCUSSION, OR WOULD YOU LIKE TO HEAR  
10  FROM THE STAFF?

11                  CHAIRMAN PENNINGTON:  MAYBE THE EASIEST  
12  WAY, AS I DID IN COMMITTEE, I'LL MAKE A MOTION AND  
13  WE CAN DISCUSS THE MOTION AND WHAT'S IN THE  
14  MOTION.  SO...

15                  MS. FISH:  ONE NOTE THAT I FAILED TO  
16  MENTION IS THERE ARE TWO REVISIONS TO PAGES 4-1 AND  
17  4-5.  THERE WAS AN ERROR THAT WAS MADE, AND SO FOR  
18  THE MEMBERS, THOSE PAGES ARE IN THE BACK, AND THEY  
19  HAVE THE CORRECTED -- THE CORRECTED AMOUNT.

20                  CHAIRMAN PENNINGTON:  OKAY.  I'LL MOVE THE  
21  COMMITTEE ACTION, WHICH WAS TO ACCEPT PROPOSALS NO.  
22  5-WPM-IWM, LANDSCAPE/HORTICULTURAL COMPOST/MULCH  
23  PROMOTION AT \$40,000; I THINK IT'S 8-DPL-IWM, WASTE

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24 CHARACTERIZATION DATABASE MAINTENANCE AT 108,000 ;  
25 10-DPL-IWM, DEVELOP MODEL AND ESTIMATE OF ECONOMIC  
52

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1       ACTIVITY AT 35,000; 32-EXE-IWM, INTEGRATED  
2       TECHNICAL TRAINING PROGRAM AT \$46,750; AND UNDER  
3       IWMA, C&P, THE CONSTRUCTION AND DEMOLITION C&D  
4       PLACEHOLDER AT 50,000; AND SPONSORSHIP AND  
5       PARTNERSHIP PLACEHOLDER AT 40,000.

6                       THAT WILL BE MY MOTION THAT WE ACCEPT  
7       THOSE ITEMS FOR APPROVAL.

8                       BOARD MEMBER FRAZEE:   I'LL SECOND.

9                       CHAIRMAN PENNINGTON:   IT'S BEEN MOVED AND  
10      SECONDED.   DISCUSSION?

11                      BOARD MEMBER CHESBRO:   I HAVE A PROPOSED  
12      AMENDMENT, MR. CHAIRMAN.

13                      BOARD MEMBER CHESBRO:   I WOULD LIKE TO SEE  
14      US FUND THE COOPERATIVE MARKETING CONTRACT.   ONE OF  
15      THE KEY GOALS OF THE BOARD IS TO ASSIST LOCAL  
16      JURISDICTIONS THAT ARE STRUGGLING TO MAKE THEIR  
17      50-PERCENT DIVERSION RATE.   THIS IS ESPECIALLY  
18      IMPORTANT WHEN WE'RE DEALING WITH RURAL JURISDIC-  
19      TIONS.

20                      THE GOAL OF THE COOPERATIVE MARKETING  
21      CONTRACT IS TO PROVIDE ASSISTANCE TO LOCAL AGENCIES  
22      TO GET THEIR MATERIALS TO MARKET WHERE THEY DON'T  
23      HAVE OTHER ADEQUATE OPPORTUNITIES TO DO SO.   AND BY

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24       COMBINING MATERIALS, IT CREATES OPPORTUNITY FOR

25       JURISDICTIONS OR THEIR CONTRACTORS TO ACHIEVE

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1       EFFICIENCIES IN TRANSPORTATION AND ALSO INCREASE  
2       THEIR LEVERAGE WITH PROCESSORS.

3                       AND I UNDERSTAND THAT THERE ARE  
4       ALREADY SOME FEDERAL FUNDS COMMITTED TO THIS  
5       PROJECT, AND SO IT WOULD PROVIDE AN OPPORTUNITY FOR  
6       LEVERAGING AND MAKING GREATER USE OF OUR CONTRACT  
7       DOLLARS.

8                       SO I WOULD SUGGEST THAT WE AMEND OR I  
9       WOULD MOVE THAT WE AMEND THIS MOTION TO RESTORE THE  
10      COOPERATIVE MARKETING FUNDING AT \$40,000 BY  
11      DECREASING ITEM 8, THE REDUCE -- THE DATABASE  
12      MAINTENANCE BY \$30,000 AND TAKE \$10,000 FROM THE  
13      FUND BALANCE THAT'S PROPOSED HERE. AND THAT WOULD  
14      BRING IT TO \$40,000 FOR THE COMBINED TO GO TO THE  
15      COOPERATIVE MARKETING CONTRACT.

16                      CHAIRMAN PENNINGTON: FROM THE HUNDRED  
17      THOUSAND FUND BALANCE?

18                      BOARD MEMBER CHESBRO: 10,000.

19                      CHAIRMAN PENNINGTON: OKAY.

20                      BOARD MEMBER GOTCH: MAY I ASK AGAIN, MR.  
21      CHESBRO, YOU WERE TAKING 30,000 FROM THE WASTE  
22      CHARACTERIZATION DATABASE MAINTENANCE; IS THAT  
23      CORRECT, WHICH WAS 108,000?



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24 BOARD MEMBER CHESBRO: CORRECT. SO THAT

25 WOULD GO DOWN TO 78,000.

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1                   BOARD MEMBER JONES: MR. CHAIRMAN, COULD I  
2 ASK -- TALK TO -- ASK MR. CHESBRO A QUESTION. AT  
3 COMMITTEE WHEN THIS CAME IN FRONT OF COMMITTEE, AND  
4 I HAD TALKED TO JOHN BROOKS PRIOR TO THE MEETING,  
5 AND I THINK DURING COMMITTEE CAREN TRGOVCICH AND  
6 JUDITH FRIEDMAN CAME FORWARD AND SAID THAT THERE  
7 HAD ALREADY BEEN \$40,000 ALLOCATED EARLIER IN THE  
8 YEAR TO SUPPORT THOSE RURAL BUSINESSES THAT ARE IN  
9 EXISTENCE, SO WE DIDN'T LOSE ANY MORE.

10                   COOPERATIVE MARKETING -- AND YOU KNOW  
11 WHEN I WAS SITTING OUT THERE, I HAD COME FORWARD A  
12 COUPLE OF TIMES. COOPERATIVE MARKETING IN RURAL  
13 CALIFORNIA ISN'T A MATTER OF GETTING THE MATERIAL  
14 OR FINDING A MARKET FOR IT; IT'S THE COST OF  
15 TRANSPORTATION. YOU KNOW, THIS IS A TRANSPORTATION  
16 ISSUE OF GETTING THE STUFF TO A MARKET. AND SOME  
17 OF THESE THINGS HAVE VALUE; SOME OF THEM DON'T HAVE  
18 VALUE. THAT'S PART OF THE DYNAMIC THAT AN OPERATOR  
19 LIVES IN EVERY DAY.

20                   BUT DEPENDING UPON WHERE THEY LIVE  
21 AND DEPENDING UPON WHERE THAT MARKET IS, THE  
22 TRANSPORTATION COST MAKES IT EITHER A VIABLE  
23 PROGRAM OR NOT A VIABLE PROGRAM. IT'S NOT THE  
24 COLLECTION OF THE MATERIAL; IT'S NOT THOSE TYPES

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OF

25        THINGS.    IT IS HOW DO YOU GET IT TO A MARKET.

55

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1 WELL, IF YOU LIVE IN INYO COUNTY,  
2 YOU'VE GOT TO GO DOWN 300 MILES OR 250 MILES TO  
3 L.A. IF YOU LIVE IN MODOC, YOU GOT TO EITHER GO UP  
4 TO OREGON TO KUSZ BAY OR YOU GOT TO HEAD DOWN  
5 TOWARDS SAN FRANCISCO.

6 BOARD MEMBER CHESBRO: OF COURSE, YOU KNOW  
7 THAT I KNOW THIS.

8 BOARD MEMBER JONES: I KNOW THAT YOU KNOW  
9 THAT.

10 BOARD MEMBER CHESBRO: SO YOU'RE PREACHING  
11 TO SOMEBODY ELSE.

12 BOARD MEMBER JONES: THAT'S EXACTLY WHY  
13 I'M BRINGING THE ITEM FORWARD BECAUSE WHEN I TALKED  
14 TO MR. BROOKS FROM RCRC, THEIR CONCERNS WERE THE  
15 INYO COUNTIES OF THE WORLD, THE MODOCS, THOSE TYPES  
16 OF PLACES BECAUSE THERE IS AN INFRASTRUCTURE THAT'S  
17 ALREADY IN PLACE THROUGHOUT MOST OF THE FOOTHILLS,  
18 AS YOU ARE WELL AWARE OF, THAT NOT ONLY HAVE  
19 MATERIAL RECOVERY FACILITIES OR HAVE PROGRAMS AND  
20 PROCESSING FACILITIES TO GET THEIR MATERIAL TO  
21 MARKET.

22 I'VE NEVER WANTED TO SEE COOPERATIVE  
23 MARKETS WHERE A MATERIAL THAT I WAS MANDATED TO  
24 ENSURE HAD HIGH QUALITY. IF MY LOCAL BOARD OF

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25        SUPERVISORS OR MY CITY COUNCIL SAID MAKE THIS  
AS

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1       GOOD AS YOU CAN BECAUSE WE WANT YOU TO GET TOP  
2       DOLLAR FOR IT, AND I'M GOING TO PUT THAT WITH  
3       SOMEBODY ELSE WHOSE CITY COUNCIL SAYS SPEND AS  
4       CLOSE TO ZIP AS YOU CAN IN GETTING THIS MATERIAL  
5       AND IT GETS PUT ON THE SAME TRUCK, WHEN THAT STUFF  
6       IS GRADED, THAT HIGH QUALITY MATERIAL IS DOWNGRADED  
7       AND THE MATERIAL THAT IS NOT OF SUCH A HIGH QUALITY  
8       IS UPGRADED BY THE OTHER JURISDICTIONS' EFFORTS.  
9       THAT'S NOT A FAVOR RELATIONSHIP.

10                   AND I ALWAYS TELL YOU WHEN I RAN  
11       NORCAL, I COULDN'T EVEN GET MY OWN COMPANIES TO  
12       COOPERATE ON SOME OF THAT STUFF WHEN IT WENT TO  
13       MARKET BECAUSE THEY WERE ALL RESPONSIBLE FOR THEIR  
14       OWN BOTTOM LINES.

15                   SO I ASKED MR. BROOKS IF WE COULD  
16       WORK ON THE SPECIFIC ISSUES OF INYO AND MODOC AND  
17       THOSE TYPES OF PLACES, BUT I DON'T KNOW WHERE  
18       \$40,000 TAKES CARE OF TRANSPORTATION ISSUES BECAUSE  
19       IT'S NOT A COLLECTION ISSUE. IT'S A TRANSPORTATION  
20       ISSUE UNLESS WE'RE GOING TO BUY A TRUCK. I MEAN I  
21       DON'T UNDERSTAND, YOU KNOW.

22                   BOARD MEMBER CHESBRO: WELL, CLEARLY  
23       \$40,000 IN COOPERATIVE MARKETING DOESN'T SOLVE ALL  
24       THE PROBLEMS FOR THE RURALS. I AGREE WITH YOU THAT

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25           TRANSPORTATION TO MARKET IS A MAJOR OBSTACLE AND  
57

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1 PROBLEM THAT NEEDS TO BE DEALT WITH, SO I AGREE  
2 WITH THAT, ALTHOUGH I DO BELIEVE IT HAS A ROLE TO  
3 PLAY AND MAYBE THAT'S WHERE WE PART.

4 BOARD MEMBER JONES: WE JUST HAVE TO  
5 FIGURE IT OUT.

6 BOARD MEMBER CHESBRO: THE IDEA IS LARGELY  
7 BASED AROUND THE SUCCESS OF THE SOUTHWEST PUBLIC  
8 RECYCLING ASSOCIATION, WHICH IN ARIZONA AND NEW  
9 MEXICO PRIMARILY, A NUMBER OF LOCAL GOVERNMENTS  
10 HAVE SET UP A STRUCTURE BY WHICH VOLUNTARILY, AND  
11 THERE'S NOT SOME RULE THAT SAYS IF YOU JOIN IN THIS  
12 THING, YOU'VE GOT TO MARKET ALL YOUR MATERIALS  
13 TOGETHER, VOLUNTARILY CERTAIN MATERIALS ARE  
14 MARKETING BY CERTAIN JURISDICTIONS JOINING TOGETHER  
15 WHO HAVE PARTICULAR PROBLEMS WITH THOSE MATERIALS.  
16 AND ONE OF THE STEPS INVOLVED IS AN AGREED UPON --  
17 IF THEY HAVE A CONTRACTOR OUT THERE WHO'S GOING TO  
18 BUY THE MATERIAL AND AGREED UPON STANDARDIZED  
19 QUALITY REQUIREMENT THAT YOU'VE GOT TO ENTER INTO  
20 IF YOU WANT TO COOPERATIVELY MARKET BECAUSE THE  
21 BUYER IS NOT GOING TO ACCEPT IT IF YOU DON'T DO  
22 IT.

23 SO -- AND THE OTHER THING I KNOW THAT



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24       SOME OF THE WASTE HAULERS ARE CONCERNED ABOUT, AND

25       MAYBE IT'S A LITTLE BIT BETWEEN THE LINES IN WHAT

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1       YOU ARE SAYING IS, YOU KNOW, THERE ARE -- THERE IS  
2       EXISTING INFRASTRUCTURE AND MARKETING THAT GOES ON  
3       WITH THE EXISTING CONTRACTORS. NO EXISTING  
4       COMMITMENT BY CONTRACT WITH THE PRIVATE RECYCLER OR  
5       HAULER CAN BE UNDERMINED BY, YOU KNOW, WHAT THE  
6       LOCAL GOVERNMENT DECIDES TO GO OUT AND DO. IT ONLY  
7       WINDS UP ADDRESSING, AND THIS IS ACTUALLY ONE OF  
8       THE DOWNSIDES OF COOPERATIVE MARKETING, IT ONLY  
9       WINDS UP ADDRESSING THOSE MATERIALS GENERALLY THAT  
10      ARE HARD TO GET RID OF AND MAYBE THAT THE HAULER  
11      DOESN'T WANT TO HAUL UNLESS HE CAN FIND A MARKET,  
12      YOU KNOW, BECAUSE IT'S SO EXPENSIVE AND DIFFICULT  
13      TO MARKET.

14                       SO I'VE BEEN TO SEVERAL MEETINGS AND  
15      WORKSHOPS WHERE THE SOUTHWEST EXPERIENCE HAS BEEN  
16      DESCRIBED, AND IT'S NOT A PANACEA. DOESN'T SOLVE  
17      ALL THE PROBLEMS FOR LOCAL GOVERNMENTS, DOESN'T  
18      BYPASS EXISTING STRUCTURES WHERE YOU'VE GOT  
19      CONTRACTS AND PRIVATE COMPANIES WORKING WITH LOCAL  
20      GOVERNMENTS TO MARKET THEIR MATERIALS, COLLECT AND  
21      PROCESS AND HAUL. IT'S JUST ANOTHER TOOL, AND SO  
22      THAT'S -- I'M IN FAVOR OF IT AS ONE MORE TOOL IN  
23      THE TOOLBOX THAT DOESN'T TAKE AWAY ANY OTHER

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24        EXISTING RELATIONSHIP, ONLY PROVIDES AN OPPORTUNITY  
25        WHERE IT CAN BE USEFUL.    THAT'S THE WAY I VIEW IT,

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1       AND I SUPPORT IT ON THAT BASIS.

2               CHAIRMAN PENNINGTON:   MRS. GOTCH.

3               BOARD MEMBER GOTCH:   EXCUSE ME.   ALLOW ME  
4       TO SECOND MR. CHESBRO'S EARLIER MOTION.

5               CHAIRMAN PENNINGTON:   CERTAINLY.   WONDER  
6       IF STAFF WOULD LIKE TO COMMENT ON WHETHER \$30,000  
7       OUT OF THE WASTE CHARACTERIZATION DATABASE MAINTENANCE  
8       WOULD -- WHAT THAT WOULD DO, IF IT CREATES A  
9       PROBLEM OR --

10              MR. CHANDLER:   I'D LIKE ASK PAT SCHIAVO  
11      AND JUDY FRIEDMAN TO SPEAK TO THAT.   I'LL JUST SAY  
12      AS AN INTRODUCTION, I KNOW THAT WE ORIGINALLY HAD  
13      153 EARMARKED FOR THIS EFFORT, AND WE'VE WHITTLED  
14      IT DOWN TO 108.   AND ON PAGE 4-21 OF YOUR ITEM, THE  
15      BOTTOM ON THE BUDGET PROCESS, WE'VE KIND OF BROKEN  
16      OUT HOW THE 108 IS ALLOCATED ACROSS THE KEY  
17      COMPONENTS HERE, BUT, JUDY, WHY DON'T YOU INTRODUCE  
18      IT.

19              MS. FRIEDMAN:   THANK YOU.   JUDY FRIEDMAN,  
20      DIVERSION, LOCAL ASSISTANCE AND PLANNING DIVISION.  
21      AND, YEAH, MR. CHANDLER DID SPEAK TO THE FACT THAT  
22      ORIGINALLY THIS PARTICULAR CONTRACT CONCEPT CAME IN  
23      AT 153, AND STAFF HAVE BEEN WORKING DILIGENTLY TO  
24      REALLY SQUEEZE DOWN THE ESTIMATES SO THAT WE COULD

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25        MAXIMIZE THE USE OF THE DOLLARS IN OTHER  
             60

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1       LOCATIONS.  AND I'D LIKE PAT SCHIAVO AND NANCY CARR  
2       TO SPEAK TO DETAILS ON THAT.

3               MR. SCHIAVO:  AS JUDY AND RALPH MENTIONED,  
4       IT WAS ORIGINALLY A \$153,000 CONCEPT.  WE WERE ABLE  
5       TO, USING STAFF INTERNALLY HERE AT THE BOARD, KNOCK  
6       OUT SOME OF THE COST BY DOING WEB DEVELOPMENT  
7       OURSELVES, ALSO TRYING TO SQUEEZE OUT SOME OF THE  
8       EXTRA DOLLARS THAT WOULD BE USED FOR SOME OF THE  
9       SURVEY PROCESS TO FILL IN SOME OF THE DATA GAPS.

10               THE BENEFIT OF THE CHARACTERIZATION  
11       DATABASES IS GLOBAL IN NATURE, AND IT'S TO BENEFIT  
12       ALL THE VARIOUS JURISDICTIONS IN THE STATE.  WE  
13       FEEL THAT THE COST THAT WE HAVE ALLOCATED AT THIS  
14       POINT IS THE MINIMAL.  IT'S CUTTING IT DOWN PRETTY  
15       MUCH TO THE BARE BONES TO COMPLETE THAT TASK.  IT'S  
16       ALSO SUPPORTING GLOBALLY THE BOARD'S OVERALL  
17       EFFORTS, MARKET DEVELOPMENT, DIVERSION PLANNING, AS  
18       WELL AS OUR STRATEGIC PLANNING EFFORTS TO DATE.

19               CHAIRMAN PENNINGTON:  ANY QUESTIONS OF  
20       STAFF ON THAT?  ANY QUESTIONS OF STAFF ON THAT?  
21       OKAY.  THANK YOU.  IF THERE'S NO FURTHER  
22       DISCUSSION, WE'LL FIRST VOTE ON MR. CHESBRO'S  
23       AMENDMENT TO MY AMENDMENT, WHICH WOULD BE TO FUND  
24       THE COOPERATIVE MARKETING PROGRAM AT \$40,000,

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25        TAKING THE 30 FROM THE WASTE CHARACTERIZATION  
61

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1        DATABASE AND 10,000 FROM THE FUND BALANCE, LEAVING  
2        A FUND BALANCE OF \$779. OKAY. IF NO FURTHER  
3        DISCUSSION, WILL THE SECRETARY CALL THE ROLL.

4                THE SECRETARY: BOARD MEMBER CHESBRO.

5                BOARD MEMBER CHESBRO: AYE.

6                THE SECRETARY: FRAZEE.

7                BOARD MEMBER FRAZEE: NO.

8                THE SECRETARY: GOTCH.

9                BOARD MEMBER GOTCH: AYE.

10               THE SECRETARY: JONES.

11               BOARD MEMBER JONES: NO.

12               THE SECRETARY: RELIS.

13               BOARD MEMBER RELIS: NO.

14               THE SECRETARY: CHAIRMAN PENNINGTON.

15               CHAIRMAN PENNINGTON: NO. MOTION FAILS.

16                        NOW WE'LL TAKE MY ORIGINAL MOTION,  
17        WHICH WAS SECONDED BY MR. FRAZEE. DO YOU WANT ME  
18        TO GO THROUGH THE NUMBERS AGAIN?

19                BOARD MEMBER CHESBRO: I DO HAVE A  
20        QUESTION FOR STAFF, THOUGH, BEFORE WE VOTE ON IT.  
21        I WAS JUST CURIOUS WHETHER OR NOT THERE WAS MORE  
22        DETAIL AVAILABLE ON THE TRAINING PROGRAM IN TERMS  
23        OF THE SPECIFICALLY -- ALL I HAD SEEN SO FAR IS  
24        VERY GENERAL TERMS.



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25

MS. PEDERSON: I CAN SPEAK TO THAT, BOARD

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1 MEMBER CHESBRO. I'M SUSAN PEDERSON, ASSISTANT  
2 DIRECTOR IN THE EXECUTIVE OFFICE.

3 AS PART OF THE INTEGRATED TRAINING  
4 EFFORT THAT WE'VE UNDERGONE THIS YEAR, WE ARE  
5 WORKING ON EXTERNAL NEEDS ASSESSMENT THAT SERVES  
6 OUR STRATEGIC PLANNING EFFORTS AT THE BOARD.  
7 SPECIFICALLY WE ARE LOOKING AT IN PARTICULAR THESE  
8 FOUR PRIORITY AREAS THAT YOU WILL BE VOTING ON  
9 TOMORROW AS PART OF THE STRATEGIC PLAN ITEM, AS  
10 WELL AS OUR GENERAL CONSTITUENT BASE FOR OUR  
11 PRIMARY CORE FUNCTIONS. WHAT COMPETENCIES THOSE  
12 CONSTITUENTS NEED IN ORDER TO SERVE SUCCESS IN OUR  
13 CORE FUNCTIONS OF THE 50 PERCENT AND THE OTHER 50  
14 PERCENT AND TO LOOK AT OUR INTERNAL DATA ON HOW WE  
15 SEE THE PERFORMANCE FOR THOSE CONSTITUENCIES AROUND  
16 THOSE COMPETENCY, KNOWLEDGE, AND SKILL AREAS, SO  
17 THAT WE CAN THEN TARGET OUR FOCUS ON THAT.

18 I THINK MORE BROADLY THE DETAIL  
19 THAT'S IMPORTANT IN LOOKING AT THIS CONCEPT IS THAT  
20 THE BOARD, THROUGH ITS STRATEGIC PLAN, HAS LAID OUT  
21 A VISION AND A MISSION THAT CRITICALLY RELIES ON  
22 OUR EXPERTISE AND THE EXPERTISE OF OUR CONSTITUENTS  
23 FOR US TO SUCCEED IN OUR CORE FUNCTIONS. IN  
24 PARTICULAR WITH US BEING AT THE STATE LEVEL AND OUR

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25        PREVIOUS ACKNOWLEDGEMENT THAT OUR SUCCESS AND THE  
63

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1       SUCCESS OF THESE PROGRAMS IS HEAVILY RELIANT ON THE  
2       CONSTITUENTS, CERTAINLY THEIR EXPERTISE AND  
3       PERFORMANCE IS A CRITICAL ASPECT OF ALL OF THAT  
4       HAPPENING.

5                       SO WE SEE TRAINING AS BEING SUCH A  
6       CRITICAL FUNCTION TO DEVELOPING THAT EXPERTISE AND  
7       MAKING IT GO THAT WE WANTED TO BE ABLE TO PUT AT  
8       LEAST THIS MODEST LEVEL FORWARD SO THAT WE COULD  
9       ULTIMATELY FULFILL THOSE EXPECTATIONS.

10                   BOARD MEMBER CHESBRO: I AGREE WITH  
11       EVERYTHING YOU'VE SAID, AND I'M NOT PLANNING TO  
12       CHANGE THIS OR ANYTHING. I JUST WANT TO TRY TO GET  
13       AS MUCH INFORMATION AS I CAN.

14                   MS. PEDERSON: I CAN TELL YOU THAT ON THE  
15       PERMITTING AND ENFORCEMENT --

16                   BOARD MEMBER CHESBRO: HOLD ON. SLOW  
17       DOWN.

18                   MS. PEDERSON: EXCUSE ME.

19                   BOARD MEMBER CHESBRO: WHAT I THINK I HEAR  
20       YOU SAYING IS THAT IT'S, IN GENERAL, TO SUPPORT  
21       TRAINING THAT FLOWS OUT OF THE GENERAL PLAN  
22       PRIORITIZATION PROCESS. WE HAVEN'T MADE THE  
23       SPECIFIC DECISIONS ABOUT WHO AND WHAT AT THIS  
24       POINT. AM I READING THAT CORRECTLY IN BETWEEN THE

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25        LINES?

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1 MS. PEDERSON: YES AND NO. FOR ONE OF OUR  
2 CRITICAL CONSTITUENT AREAS, THE LOCAL ENFORCEMENT  
3 AGENTS ARE THE LEA'S. THE PERMITTING AND  
4 ENFORCEMENT DIVISION HAS ALREADY CONDUCTED A NEEDS  
5 ASSESSMENT SURVEY, AND OUT OF THAT HAS PUT FORWARD  
6 AN 18-MONTH TRAINING PLAN FOR WHICH A PORTION OF  
7 THIS MONEY WOULD SUPPORT THAT. WHAT WE'RE LOOKING  
8 AT NOW IS FOR THE OTHER CRITICAL LINE PROGRAMS THAT  
9 SUPPORT OUR OTHER STRATEGIC FUNCTIONS.

10 BOARD MEMBER CHESBRO: SO PART OF IT WOULD  
11 GO FOR THE CONTINUING LEA TRAINING PROCESS WE'VE  
12 BEEN ENGAGED IN.

13 MS. PEDERSON: THAT'S THE EXPECTATION.

14 BOARD MEMBER CHESBRO: SOME PORTION MAY GO  
15 TO OTHER WHATEVER, CONSTITUENT GROUPS OR CUSTOMER  
16 GROUPS, THAT WE IDENTIFY WHO NEED TRAINING; IS THAT  
17 CORRECT?

18 MS. PEDERSON: YES. THAT'S CORRECT.

19 BOARD MEMBER CHESBRO: WILL WE BE SEEING  
20 IN SOME FORM A MORE SPECIFIC ALLOCATION PLAN FOR  
21 HOW WE'RE GOING TO SPEND THE TRAINING DOLLARS  
22 AT  
23 SOME POINT?

23 MS. PEDERSON: WE CAN PROVIDE YOU WITH

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24 INFORMATION ON THAT ONCE THAT NEEDS ASSESSMENT  
IS  
25 CONDUCTED. THERE IS A COPY, I KNOW, ALREADY  
65

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1 AVAILABLE OF THE 18-MONTH TRAINING SCHEDULE IN  
2 DRAFT FOR THE LEA GROUP. AND WHEN WE GET THE  
3 FURTHER DETAIL ON THE OTHER CONSTITUENT AREAS, WE'D  
4 BE MORE THAN HAPPY TO SHARE THAT INFORMATION WITH  
5 YOU.

6 BOARD MEMBER CHESBRO: BUT FROM THE FORMAL  
7 ACTION STANDPOINT, THIS IS ASSUMED TO BE THE ONLY  
8 COMMITTEE OR BOARD ACTION ON THIS THAT'S BASICALLY  
9 THEN THE STAFF GOING FORWARD AND PUTTING THE  
10 TRAINING --

11 MS. PEDERSON: THAT'S CORRECT.

12 BOARD MEMBER CHESBRO: -- PROGRAM  
13 TOGETHER? BECAUSE ALTHOUGH IT DOESN'T NECESSARILY  
14 NEED TO BE A FORMAL BOARD ISSUE, BUT IT DOES SEEM  
15 TO ME THAT HAVING SOME IDEA OF WHAT THE PRIORITIES  
16 ARE IS IMPORTANT TO THE BOARD MEMBERS IN UNDER-  
17 STANDING HOW YOU ARE PROCEEDING WITH BOTH THE  
18 STRATEGIC PLAN IMPLEMENTATION AND HOW OUR TRAINING  
19 DOLLARS ARE BEING SPENT.

20 MS. PEDERSON: ONE OF THE PRIMARY  
21 FOLLOW-UP VEHICLES, OF COURSE, WITHIN THE CONTRACT  
22 CONCEPT PROCESS IS AS THE CONTRACT CONCEPTS ARE  
23 APPROVED BY THE BOARD, WE FOLLOW UP THROUGH THE



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24       ADVISORS WITH THE ADDITIONAL INFORMATION ON HOW  
THE

25       SCOPES MOVE FORWARD, WHAT THE IMPLEMENTATION LOOKS  
66

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1       LIKE.

2                   BOARD MEMBER CHESBRO:   I'M NOT JUST  
3       INTERESTED IN ONE PIECE COMING FORWARD AT A TIME,  
4       BUT KIND OF THE FRAMEWORK OF WHAT THE PRIORITIES  
5       ARE.   THAT'S TRUE AND THAT'S GOOD, BUT I ALSO WANT  
6       TO MAKE SURE THAT WE HAVE SOME SENSE OF HERE'S THE  
7       DIRECTION WE'RE GOING, HERE'S THE FOUR AREAS OR TWO  
8       AREAS THAT WE'RE GOING TO PROCEED, AND HERE'S HOW  
9       WE'RE GOING TO DIVIDE UP THE PIE.

10                  MS. PEDERSON:   THAT'S NOT A PROBLEM FOR US  
11       TO PRESENT THAT INFORMATION TO YOU.

12                  CHAIRMAN PENNINGTON:   THAT CAN BE PART OF  
13       THE EXECUTIVE DIRECTOR'S REPORT.

14                  MS. PEDERSON:   THAT WOULD BE AN OPTION.

15                  CHAIRMAN PENNINGTON:   OKAY.   ANY OTHER  
16       DISCUSSION OR QUESTIONS?   IF NOT, WE'LL VOTE ON MY  
17       MOTION, WHICH IS TO APPROVE THE COMMITTEE'S  
18       RECOMMENDATION AND ADOPT RESOLUTION 97-412.  
19       SECRETARY CALL THE ROLL.

20                  THE SECRETARY:   BOARD MEMBER  
CHESBRO.

21                  BOARD MEMBER CHESBRO:   AYE.

22                  THE SECRETARY:   FRAZEE.

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23 BOARD MEMBER FRAZEE: AYE.

24 THE SECRETARY: GOTCH.

25 BOARD MEMBER GOTCH: AYE.

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1 THE SECRETARY: JONES.

2 BOARD MEMBER JONES: AYE.

3 THE SECRETARY: RELIS.

4 BOARD MEMBER RELIS: AYE.

5 THE SECRETARY: CHAIRMAN PENNINGTON.

6 CHAIRMAN PENNINGTON: AYE. MOTION

7 CARRIES.

8 NOW, DO WE HAVE TO TAKE THESE OTHER  
9 ITEMS UP TOO, DON'T WE? I'LL MOVE THAT WE APPROVE  
10 32-EXE-OIL, INTEGRATED TECHNICAL TRAINING FOR  
11 29,750; ALSO, 11-DPL-OIL, DEVELOPMENT OF METHODS,  
12 40,000; 21-DPL-OIL, PROMOTIONAL EDUCATION WITH THE  
13 DEPARTMENT OF WATER RESOURCES, 50,000; 22-DPL-OIL,  
14 PROMOTION EXPENSE WITH DEPARTMENT OF MOTOR  
15 VEHICLES, 100,000; 34-DPL-OIL, PROMOTION EXPENSES,  
16 EDUCATION, \$150,000; 44-OIL-IWM, PROMOTION  
17 EXPENSES, RESIDENTIAL AND OUTREACH LANDSCAPE  
18 OUTREACH, A HUNDRED THOUSAND. AND THAT'S FINE.  
19 THOSE ARE THE TWO OIL FUNDS.

20 BOARD MEMBER GOTCH: MR. CHAIR, IN  
21 COMMITTEE WE HAD A LITTLE DISCUSSION ON THIS  
22 REGARDING SMART SHOP CAMPAIGN. LET ME ASK A COUPLE  
23 OF QUESTIONS REGARDING THAT AND GRASSCYCLING, AND

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24       SO I'M GOING TO BE KIND OF MERGING INTO THE NEXT  
25       ITEM ALSO.

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1                   REGARDING THE GRASSCYCLING, MY OFFICE  
2       WAS CONTACTED ABOUT THE GRASSCYCLING ISSUE, AND IN  
3       PARTICULAR FOLKS WERE CONCERNED THAT THEY WERE TOLD  
4       THAT THE USED OIL MESSAGE HAD TO TAKE PROMINENCE.  
5       AND I'M HOPING MR. JONES MIGHT BE ABLE TO GIVE ME A  
6       LITTLE INSIGHT ON THIS. I THINK WE WANT TO GET OUR  
7       GRASSCYCLING MESSAGE ACROSS, AND I'M HOPING YOU ARE  
8       GOING TO GIVE ME --

9                   BOARD MEMBER JONES: THE ANSWER YOU WANT.  
10      ABSOLUTELY. IT'S AN AMAZING THAT FACT WHEN YOU SAY  
11      THE WORD "SIGNIFICANT," IT CAN BE VIEWED AS BEING  
12      PREDOMINANT. THE TERMINOLOGY THAT WAS USED AT THE  
13      MEETING -- FOR THE SAKE OF THE AUDIENCE, THERE HAS  
14      BEEN A PROJECT GOING ON IN SOUTHERN CALIFORNIA THAT  
15      INCLUDES L.A. COUNTY AND ORANGE COUNTY ON A  
16      GRASSCYCLING PROJECT THAT IS ALSO GOING TO DEAL  
17      WITH THE IDEA OF POLLUTION PREVENTION BECAUSE  
18      THEY'RE GOING TO USE ELECTRIC MOWERS INSTEAD OF GAS  
19      POWERED MOWERS IN SOUTHERN CALIFORNIA. THE AIR  
20      QUALITY STANDARDS ARE SUCH A MAJOR ISSUE.

21                   AND IT HAS BEEN, SINCE THE BEGINNING  
22      OF THIS PROJECT, THAT WE HAVE CONTINUALLY TOLD  
23      THOSE CITIES AND COUNTIES DOWN THERE THAT THERE  
24      NEEDED TO BE A SIGNIFICANT MESSAGE ON OIL POLLUTION

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25        AND ON OIL POLLUTION PREVENTION.    SIGNIFICANT DOES  
69

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1 NOT MEAN PREDOMINANT. AND UNFORTUNATELY, AFTER  
2 THAT MEETING WE STARTED GETTING PHONE CALLS BECAUSE  
3 THEY INTERPRETED SIGNIFICANT TO MEAN PREDOMINANT  
4 AND DOMINATING THE MAJORITY OF THE MESSAGE. AND  
5 THAT'S NOT THE CASE.

6 THE ISSUE IS GOING TO BE THERE WILL A  
7 SIGNIFICANT MESSAGE BECAUSE THAT'S OUR GOAL IS TO  
8 PREVENT POLLUTION OF THOSE LAWN MOWERS, BUT OUR  
9 OBVIOUS GOAL IS IN WASTE REDUCTION, GRASSCYCLING,  
10 HELPING TO MINIMIZE THE AMOUNT OF THAT MATERIAL  
11 THAT NEEDS TO BE COLLECTED AND GO FORWARD AND THAT.  
12 I DON'T WANT TO SAY THAT SIGNIFICANT MEANS 25  
13 PERCENT OF AN AD BECAUSE THERE'S GOING TO BE SOME  
14 MEDIA RADIO SPOTS THAT MAY NOT -- MAY HAVE A VERY  
15 MINOR, JUST THAT IT'S FUNDED BY THE DIFFERENT  
16 ORGANIZATIONS. PRINT AD, I WOULD SAY THIS IS NOT  
17 THE SPECIFIC NUMBER, BUT FIGURE PROBLEM ABOUT 25  
18 PERCENT.

19 AND I THINK THAT MAKES A LOT OF SENSE  
20 BECAUSE WE HAVE TO GET THAT MESSAGE ACROSS THAT  
21 POLLUTION PREVENTION IN SOUTHERN CALIFORNIA IS A  
22 CRITICAL ISSUE. IT IS NOT PREDOMINANT. IT IS THE  
23 INTERPRETATION OF THOSE THAT WERE IN THE MEETING.



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24                                BUT I HAVE TO TELL YOU, WHEN WE HAD  
25        THE MEETING AND WE ALL KNOW OF THE EFFORT WE GO

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1       THROUGH TO GET SOUTHERN CALIFORNIA CITIES AND  
2       COUNTIES TO, AS WE DO ALL THE CITIES AND COUNTIES  
3       IN THE STATE, TO WORK ON THE RECYCLING PROGRAMS AND  
4       AB 688, WHICH SAID GOOD FAITH EFFORT.  AFTER THE  
5       FIRST MEETING WHEN ONE OF OUR STAFF SAID --  
6       SOMEBODY BROUGHT UP THE IDEA IS THIS ABOUT GOOD  
7       FAITH EFFORT?  AND ONE OF OUR STAFF SAYS, "YEAH, IF  
8       THIS IS PART OF AN INTEGRATED PROGRAM, THIS IS A  
9       PIECE OF WHAT YOU ARE DOING, OBVIOUSLY IT'S A GOOD  
10      FAITH EFFORT."

11                   A LETTER WENT OUT THAT SAID IF YOU  
12      ARE PART OF THIS PROGRAM, YOU SATISFY AB 939 AND AB  
13      688 BECAUSE THIS WILL CONSTITUTE THE GOOD FAITH  
14      EFFORTS YOU NEED TO PUT FORWARD.  SO THERE IS A  
15      LITTLE DILUTION OF THE INFORMATION SOMETIMES THAT  
16      COMES FORWARD, AND I HOPE THAT LONG ANSWER  
17      SATISFIES YOUR QUESTION.

18                   BOARD MEMBER GOTCH:  THANK YOU VERY MUCH,  
19      MR. JONES.  OKAY.

20                   NOW, ALSO, IN COMMITTEE I HAD ASKED  
21      ABOUT THE POSSIBILITY OF USING SOME OF THE OIL FUND  
22      MONEY FOR FUNDING IN THE SMART SHOP CAMPAIGN, WHICH  
23      IS THE FOLLOWING ITEM.  AND I'D LIKE TO ASK, IF I

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24 MAY, TO HAVE STAFF AND/OR THE SMART SHOP

25 REPRESENTATIVES PRESENT THEIR FINDINGS ABOUT

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1       WHETHER IT'S FEASIBLE TO USE OIL MONEY IN THIS  
2       CAMPAIGN.  WE'RE GOING TO BE MOVING A LITTLE BIT  
3       INTO THE NEXT ITEM, IF WE MAY.

4               CHAIRMAN PENNINGTON:  WELL, WE'VE GOT A  
5       MOTION ON THE FLOOR HERE THAT I'D LIKE TO GET  
6       HANDLED.  I THINK THEY CAN ANSWER WHETHER OR NOT  
7       THE OIL MONEY CAN BE USED FOR THE SMART SHOP  
8       PROGRAM.  WE ALREADY HAVE SET ASIDE SOME MONEY THAT  
9       CAN BE USED, BUT CERTAINLY THAT ANSWER.  BUT I  
10      THINK WE OUGHT TO TAKE CARE OF THIS BEFORE WE GET  
11      INTO ITEM NO. 5.

12             BOARD MEMBER GOTCH:  THIS WILL HELP ANSWER  
13      THE QUESTION.  THANK YOU, MR. CHAIR.

14             MS. FRIEDMAN:  JUDY FRIEDMAN, AGAIN,  
15      DIVERSION, PLANNING AND LOCAL ASSISTANCE.  TO  
16      ANSWER VERY BRIEFLY, OIL FUNDS COULD BE USED  
17      SPECIFICALLY FOR AN OIL MESSAGE, AND WE'LL GIVE  
18      MORE INFORMATION IN THE ITEM THAT FOLLOWS.

19             BOARD MEMBER GOTCH:  GREAT.  THANK YOU  
20      VERY MUCH.

21             CHAIRMAN PENNINGTON:  THANK YOU.  YES, MR.  
22      CHESBRO.

23             BOARD MEMBER CHESBRO:  I AM SUPPORTIVE OF  
24      THIS.  AS YOU MAY RECALL, AND I KNOW RALPH MAY

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25        RECALL BECAUSE I BRING IT UP JUST ABOUT EVERY WEEK  
72

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1 WITH HIM, I'VE BEEN FRUSTRATED BECAUSE I FELT FOR A  
2 LONG TIME THAT WE HAVE ACTUALLY HAD MORE LIMITED  
3 IWM FUND SUBSIDIZING MANY OIL PROGRAMS AND THAT  
4 THERE'S SOMETHING WRONG WITH OUR INTERPRETATION IF  
5 WE'RE NOT ABLE, WHEN THERE'S CLEARLY AN OIL  
6 COMPONENT, TO UTILIZE OIL FUNDS TO PAY ITS FAIR  
7 SHARE, PAY ITS WAY.

8 AND CERTAINLY SENATOR LOCKYER  
9 RECOGNIZED THAT WITH SB 1330 IN TERMS OF, YOU KNOW,  
10 UTILIZING SOME OF THE OIL FUNDS FOR THE RURAL  
11 CLEANUP.

12 SO I THINK THAT THIS IS GOOD, AND I  
13 WOULD HOPE THAT IT WOULD BE THE FIRST OF US LOOKING  
14 CAREFULLY, WHENEVER THERE IS A POSSIBLE COMPONENT  
15 OF MOTOR OIL IN THE WASTESTREAM, TO HAVING THE OIL  
16 FUND PAY ITS SHARE OF ACTIVITIES AND PROGRAMS AND  
17 NOT HAVE IT BE THE OTHER WAY AROUND, WHICH I THINK  
18 HAS, IN FACT, BEEN THE CASE WHEN THERE'S MORE OIL  
19 FUND AVAILABLE AND IWM IS SHRINKING. AND IT'S  
20 REALLY UNFAIR PRESSURE ON THE IWM FUND TO HAVE THE  
21 MONEY FLOWING AND SUBSIDIZING FROM THE IWM PROGRAM  
22 TO THE OIL PROGRAM.

23 SO I'M GLAD WE'RE DOING THIS, AND I  
24 HOPE THAT STAFF WILL TAKE IT AS A FIRST STEP IN

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25        LOOKING FOR OTHER WAYS TO, WITHIN THE LAW AND THE  
73

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1 BUDGETARY REQUIREMENTS THAT ARE PLACED ON US, TO  
2 FIND WAYS TO MAKE SURE THAT WE'RE APPROPRIATELY  
3 USING THE OIL FUNDS TO PAY FOR OIL PROGRAMS.

4 CHAIRMAN PENNINGTON: OKAY. OKAY. WE  
5 HAVE A MOTION TO ADOPT AS PART OF RESOLUTION 97-412  
6 THESE ITEMS THAT I JUST WENT THROUGH.

7 MS. FISH: EXCUSE ME. DID YOU ALSO UNDER  
8 THE TIRE RECYCLING FUND --

9 CHAIRMAN PENNINGTON: I WAS GOING TO DO IT  
10 SEPARATELY BECAUSE THIS WAS THE OIL FUND, BUT WE  
11 CAN DO THAT TOO. WHY DON'T WE JUST UNDER THE TIRE  
12 RECYCLING FUND, THERE'S 32-EXE-TIRES, INTEGRATED  
13 TECHNICAL TRAINING FOR 8,500.

14 I DON'T KNOW WHETHER ANYBODY  
15 SECONDED.

16 BOARD MEMBER GOTCH: I'LL SECOND.

17 CHAIRMAN PENNINGTON: OKAY. IF  
THERE'S NO

18 FURTHER DISCUSSION ON THESE FUNDS, WILL THE  
19 SECRETARY CALL THE ROLL.

20 THE SECRETARY: BOARD MEMBER  
CHESBRO.

21 BOARD MEMBER CHESBRO: AYE.

22 THE SECRETARY: FRAZEE.



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23 BOARD MEMBER FRAZEE: AYE.

24 THE SECRETARY: GOTCH.

25 BOARD MEMBER GOTCH: AYE.

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1 THE SECRETARY: JONES.

2 BOARD MEMBER JONES: AYE.

3 THE SECRETARY: RELIS.

4 BOARD MEMBER RELIS: AYE.

5 THE SECRETARY: CHAIRMAN PENNINGTON.

6 CHAIRMAN PENNINGTON: AYE. MOTION

7 CARRIES.

8 BOARD MEMBER CHESBRO: I'M ONLY SEMI-

9 FACETIOUSLY GOING TO ASK MR. JONES WHETHER OR NOT

10 HE WOULD STILL OBJECT TO COOPERATIVE MARKETING IF

11 IT WAS COOPERATIVELY MARKETING USED MOTOR OIL.

12 BOARD MEMBER JONES: I GUESS IT DOESN'T

13 MATTER THE LEVEL OF CONTAMINATION, DOES IT?

14 CHAIRMAN PENNINGTON: NEXT ITEM IS ITEM

15 NO. 5, CONSIDERATION OF A \$25,000 FUNDING REQUEST

16 FOR THE BAY AREA SHOP SMART CAMPAIGN. JUDY

17 FRIEDMAN, KAREN FISH.

18 MS. FRIEDMAN: YES. ACTUALLY PHIL MORALEZ

19 WILL MAKE THE PRESENTATION FOR STAFF.

20 MR. MORALEZ: GOOD MORNING, MR. CHAIRMAN

21 AND MEMBERS OF THE BOARD. AND FOR THE RECORD, MY

22 NAME IS PHIL MORALEZ. I'M THE BRANCH MANAGER FOR

23 THE PUBLIC EDUCATION AND PROGRAM IMPLEMENTATION

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24        BRANCH .

25                        THE ITEM BEFORE YOU HAS BEEN

75

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1        PLACED -- MOVED BY THE COMMITTEE TO -- WITH NO  
2        RECOMMENDATION TO THE BOARD BASED ON A NUMBER OF  
3        LETTERS THAT THE BOARD HAD RECEIVED, THE BOARD  
4        MEMBERS, REGARDING FUND SUPPORT FOR THE PROJECT SAN  
5        FRANCISCO BAY AREA SHOP SMART CAMPAIGN IN THE  
6        AMOUNT OF \$25,000. SINCE THAT MEETING THERE HAVE  
7        BEEN A COUPLE OTHER LETTERS THAT HAVE BEEN RECEIVED  
8        FROM OTHER JURISDICTIONS IN SUPPORT OF THAT FUND  
9        REQUEST.

10                    JUST FOR PURPOSES OF THE RECORD AND  
11        FOR MEMBERS IN THE AUDIENCE WHO WERE NOT AT THE  
12        COMMITTEE MEETING, THE SHOP SMART CAMPAIGN WAS  
13        INITIALLY FUNDED IN 1994 THROUGH CALIFORNIA WASTE  
14        MANAGEMENT BOARD PARTNERSHIP CONTRACT WITH THE  
15        LEAGUE OF CITIES, CSAC, AND ALSO WITH THE LGC IN  
16        THE AMOUNT OF ABOUT \$150,000, WHICH INITIALLY WAS  
17        THE FIRST START OF THAT CAMPAIGN.

18                    THE BOARD DOES HAVE SEVERAL OPTIONS  
19        AVAILABLE TO IT. ONE OPTION OBVIOUSLY IS TO  
20        POSTPONE, TAKING -- APPROVING THIS REQUEST OR  
21        DEALING WITH THIS REQUEST PENDING A BOARD POLICY,  
22        WHICH I UNDERSTAND IS GOING TO BE ESTABLISHED AT  
23        THE DECEMBER BOARD MEETING REGARDING HOW TO HANDLE  
24        THESE TYPES OF REQUESTS, OR WE COULD APPROVE THE

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25 FUNDING FOR THIS PROJECT, OR DENY THE REQUEST.

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1                   AT THE COMMITTEE MEETING, CHAIRMAN  
2   GOTCH DID ASK, AFTER WE HAD MOVED TO THE BOARD, IF  
3   IT WAS A POSSIBILITY THAT PERHAPS USED OIL  
4   DOLLARS -- AT THAT TIME SHE HAD ASKED IN THE AMOUNT  
5   OF ABOUT \$10,000 -- COULD BE USED TO PARTIALLY  
6   SUPPORT THIS FUNDING REQUEST.

7                   AS MS. FRIEDMAN NOTED, OIL MONEY  
8   COULD BE USED FOR FUNDING PART OF THIS PROJECT; AND  
9   IN TALKING WITH SOME OF THE MEMBERS FROM THE SHOP  
10   SMART CAMPAIGN, THEY INDICATED THAT THAT EXCLUSIVE  
11   OIL MESSAGE WOULD NOT BE A PROBLEM FOR THEM IN THIS  
12   PARTICULAR PROJECT.

13                  AT THIS TIME ANY OTHER FUNDS FOR THE  
14   PROGRAM WOULD OBVIOUSLY BE BASED ON BOARD'S  
15   RECOMMENDATION IN TERMS OF WHERE THOSE FUNDS WOULD  
16   COME FROM. AS YOU KNOW, ON ITEM NO. 4, YOU  
17   IDENTIFIED FUNDING SOURCES THERE.

18                  AT THIS TIME THIS CONCLUDES STAFF'S  
19   PRESENTATION. AND I DO KNOW THERE ARE A COUPLE  
20   MEMBERS WHO HAVE COME FROM SAN FRANCISCO. THEY MAY  
21   ALSO WANT TO MAKE A PRESENTATION.

22                  CHAIRMAN PENNINGTON: OKAY. ANY QUESTIONS  
23   OF STAFF ON THIS ITEM? OKAY. FIRST WE HAVE DAVID  
24   ASSMAN.

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25

MR. ASSMAN: CHAIRMAN PENNINGTON, MEMBERS

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1       OF THE BOARD, I'M NOT REALLY GOING TO MAKE A  
2       PRESENTATION BECAUSE I DID THAT FOR THE COMMITTEE.  
3       BUT I WOULD LIKE TO OFFER A COUPLE OF COMMENTS AND  
4       THEN BE AVAILABLE FOR ANY QUESTIONS.

5                       WE -- THE SHOP SMART CAMPAIGN IS A  
6       COOPERATIVE EFFORT OF 110 CITIES AND COUNTIES IN  
7       THE BAY AREA NOW ENTERING ITS THIRD YEAR. IT'S  
8       CONSISTENTLY REACHING THE SIX AND A HALF MILLION  
9       PEOPLE IN THE BAY AREA WITH WASTE PREVENTION AND  
10      BUY RECYCLE MESSAGES.

11                     SINCE THE COMMITTEE MEETING WE HAVE  
12      BEEN INVESTIGATING THE POSSIBILITY OF INCLUDING A  
13      USED OIL MESSAGE IN OUR OUTREACH MATERIALS, AND WE  
14      FEEL THAT IT FITS QUITE WELL WITHIN THE FRAMEWORK  
15      OF THE TWO MESSAGES THAT WE'RE FOCUSING IN ON THIS  
16      YEAR, WHICH IS WASTE PREVENTION AND REUSE, AND  
17      REREFINED OIL FITS WITHIN THAT AREA.

18                     IN PARTICULAR, THOUGH WE'RE STILL  
19      INVESTIGATING ALL THE OPTIONS, WE DO KNOW THAT  
20      WAL-MART CARRIES REREFINED OIL MADE BY SAFETY  
21      CLEAN, AMERICA'S CHOICE REREFINED OIL, AND THERE  
22      ARE WALL-MARTS IN SEVEN OF THE TEN COUNTIES THAT WE  
23      ARE OPERATING THE CAMPAIGN IN. SO WE DO KNOW OF AT  
24      LEAST ONE BIG DISTRIBUTION OUTLET FOR REREFINED OIL



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25        THAT COULD TIE IN WITH A USED OIL MESSAGE THAT  
78

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1       COULD BE INCLUDED AS PART OF OUR COMIC RAP THAT'S  
2       GOING OUT TO MORE THAN THREE AND A HALF MILLION  
3       PEOPLE AS PART OF THE CAMPAIGN.

4                   I'D RATHER JUST ANSWER QUESTIONS.  
5       I'D BE HAPPY TO ANSWER ANY QUESTIONS ABOUT THE  
6       CAMPAIGN OR ANY OTHER ASPECT OF IT.

7                   BOARD MEMBER RELIS:  MR. CHAIR, I HAVEN'T  
8       BEEN PART OF THESE DELIBERATIONS, SO I HAVE A  
9       COUPLE OF QUESTIONS THAT MAY ALREADY BE UNDER-  
10      STOOD.  IS THE TOTAL REQUEST 25,000, OR IS THIS A  
11      PIECE OF SOMETHING ELSE THAT WOULD COME BACK?  IS  
12      THIS --

13                  MR. ASSMAN:  OUR TOTAL REQUEST IS 25,000.  
14      OUR TOTAL CAMPAIGN BUDGET IS ABOUT 200,000.  CITIES  
15      AND COUNTIES HAVE PLEDGED MORE THAN A HUNDRED FIFTY  
16      THOUSAND SO FAR.

17                  BOARD MEMBER RELIS:  OKAY.  AND THERE'S  
18      REFERENCE HERE TO THE -- OUR PARTICIPATION IN  
19      CAMPAIGNS IN THE PAST.  AND I DON'T KNOW IF THERE'S  
20      ANYONE FROM STAFF WHO COULD COMMENT ON OUR SENSE OF  
21      HOW WELL THIS PROGRAM HAS WORKED FOR THE BOARD'S  
22      PREVENTION SIDE.

23                  MR. MORALES:  BOARD MEMBER RELIS, IN THE  
24      PAST YOU MIGHT RECALL WE HAD ENTERED INTO A

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25 CONTRACT WITH THE LEAGUE OF CITIES, CSAC. PART OF  
79

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1 THE MONEY WAS USED, \$150,000 OF THAT CONTRACT WAS  
2 USED, IN PARTNERSHIP FOR THIS PARTICULAR PROJECT.  
3 AND OUR REPORT AND THE RESULTS OF THE PROGRAM WERE  
4 VERY POSITIVE. STAFF WAS VERY PLEASED WITH THE  
5 PROGRAM. THEY HAD VERY GOOD RESULTS.

6 BOARD MEMBER GOTCH: MAY I ASK PHIL ALSO  
7 TO TALK A LITTLE BIT OR MR. ASSMAN TO TALK A LITTLE  
8 BIT ABOUT THE SURVEYS THAT WERE DONE? THAT MIGHT  
9 HELP ANSWER THE QUESTION.

10 CHAIRMAN PENNINGTON: LET MR. RELIS  
11 FINISH.

12 BOARD MEMBER RELIS: I'M FINISHED, BUT  
13 I'LL TAKE MORE INFORMATION.

14 MR. ASSMAN: OKAY. WE DID TWO THINGS FOR  
15 THE FIRST AND SECOND CAMPAIGN IS WE SURVEYED  
16 SHOPPERS AND WE ALSO MEASURED PRODUCT SALES. AND  
17 THE PRODUCT SALE TRACKING WE DID IN THE FIRST  
18 CAMPAIGN, AND WE MEASURED SALES OF WELL-PACKAGED  
19 PRODUCTS; I.E., PACKAGE WITH MINIMAL PACKAGING AND  
20 USING RECYCLED-CONTENT. AND THEN WE MEASURED SALES  
21 OF OVER PACKAGED PRODUCTS. AND WE HAD A RESEARCH  
22 FIRM DO THIS STUDY FOR US.

23 AND THE SALES OF WELL-PACKAGED

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24 PRODUCTS DURING THE CAMPAIGN INCREASED BY 19.4  
25 PERCENT, ALMOST 20 PERCENT. AND THE SALES OF OVER

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1       PACKAGED PRODUCTS DECLINED BY 36 PERCENT, WHICH WE  
2       THINK IS A TREMENDOUS RESULT, BETTER THAN WE  
3       EXPECTED.

4                       WE ALSO FOUND THROUGH EXIT POLLS THAT  
5       43 PERCENT OF SHOPPERS IN 1996 REMEMBERED ONE OR  
6       MORE ELEMENTS OF THE CAMPAIGN, WHICH MEANS IF YOU  
7       EXTRAPOLATE OVER THE BAY AREA, WE REACHED WELL OVER  
8       A MILLION PEOPLE THROUGH THAT CAMPAIGN. IN 1997 WE  
9       HAD ALMOST AN IDENTICAL RESULT, 42 PERCENT  
10      REMEMBERED ONE OR MORE ELEMENTS OF THE CAMPAIGN.  
11      AND OF THOSE A SIGNIFICANT PERCENTAGE ACTED ON THE  
12      MESSAGES AS WELL. FOR EXAMPLE, WE HAD 29 PERCENT  
13      SAID THEY BOUGHT PRODUCTS IN BULK, 18 PERCENT SAID  
14      THEY BOUGHT ITEMS WITH RECYCLED-CONTENT PACKAGING  
15      IN '96. IN '97 30 PERCENT SAID THEY BOUGHT ITEMS  
16      WITH RECYCLED-CONTENT PACKAGING, AND 19 PERCENT  
17      SAID THEY BOUGHT BULK PRODUCTS.

18                      SO WE FEEL THE RESULTS WERE REALLY  
19      EXEMPLARY. WE'VE ALSO RECEIVED SEVEN NATIONAL AND  
20      STATE AWARDS FOR THE PROGRAM.

21                      CHAIRMAN PENNINGTON: YES, MR. CHESBRO.

22                      BOARD MEMBER CHESBRO: IN PARTIAL RESPONSE  
23      TO MR. RELIS' COMMENTS, BECAUSE I HAD A CHANCE TO  
24      VISIT SOME OF THE SITES AND REVIEW THIS IN SOME

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25       DETAIL, THERE'S SEVERAL THINGS I THINK ARE REALLY  
81

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1       EXEMPLARY AND MAKES THIS PROJECT STAND OUT FROM THE  
2       OTHER EFFORTS AROUND THE STATE. ONE OF THEM IS  
3       THAT IT'S ONE OF THE FEW WHERE THERE'S BEEN A REAL  
4       COMPLETE FOLLOW-UP WHERE THEY'VE ACTUALLY TAKEN THE  
5       TIME TO MEASURE THE RESULTS AS BEST THEY COULD.  
6       AND THAT'S IMPORTANT.

7                       SECONDLY, IT'S UNPRECEDENTED IN TERMS  
8       OF THE LEVEL OF PARTNERSHIP AND REGIONAL COOPERA-  
9       TION. NOT ONLY DOES IT INVOLVE LOCAL GOVERNMENTS  
10      THROUGHOUT AN ENTIRE REGION, BUT IT ALSO HAS  
11      INVOLVED A NUMBER OF THE MAJOR RETAILERS WHO HAVE  
12      PARTNERED AND PARTICIPATED IN TERMS OF PROVIDING  
13      COOPERATIVE ADVERTISING, DISPLAY SPACE, VERY ACTIVE  
14      PARTICIPATION BY THE SUPERMARKETS AND OTHER  
15      RETAILERS.

16                      SO, YOU KNOW, THERE HAVE BEEN  
17      INDIVIDUAL JURISDICTIONS, SOME OF THEM QUITE LARGE,  
18      LIKE THE CITY OF LOS ANGELES, WHO HAVE DONE  
19      EDUCATION CAMPAIGNS, BUT THERE'S BEEN A PROBLEM  
20      SOMETIMES IN TERMS OF COORDINATION IN A MARKETPLACE  
21      IN A REGIONAL MARKET, AND THE COORDINATION THAT'S  
22      BEEN ACHIEVED THROUGH THAT COOPERATION IN THE BAY  
23      IS FAIRLY UNUSUAL AND CERTAINLY, I WOULD HOPE,



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24        WOULD BE REPLICATED ELSEWHERE IN THE STATE.  IT'S  
25        WORKED QUITE WELL, I THINK.

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1                   MR. ASSMAN: IF I COULD JUST ADD TO THAT,  
2           WE'RE AIMING FOR 400 PARTNERS THIS YEAR IN TERMS OF  
3           STORES. WE HAD 285 LAST YEAR REPRESENTING A NUMBER  
4           OF DIFFERENT CHAINS. WE ALSO ARE MAKING OUR  
5           MATERIALS AVAILABLE AND HELPING OTHER JURISDICTIONS  
6           SET UP SIMILAR CAMPAIGNS, AND SAN LUIS OBISPO IS  
7           DOING A CAMPAIGN BASED ON OURS NEXT MONTH. AND  
8           WE'VE HELPED SOME CITIES IN SOUTHERN CALIFORNIA.  
9           WE'VE HELPED SOME CITIES IN OTHER PARTS OF THE  
10          COUNTRY SET UP SIMILAR CAMPAIGNS, AND OUR MATERIALS  
11          ARE FREELY AVAILABLE, AND WE DO PACKAGE THEM IN  
12          SUCH A WAY THAT OTHER JURISDICTION CAN USE THEM.

13                  CHAIRMAN PENNINGTON: I'D LIKE TO GO BACK  
14          TO THE PARTNERSHIPS. YOU SAID YOU HAVE A CAMPAIGN  
15          BUDGET OF 200,000; IS THAT CORRECT? AND HOW ARE  
16          YOU DOING ON RAISING THAT MONEY?

17                  MR. ASSMAN: WE HAVE MORE THAN \$150,000  
18          COMMITTED FROM CITIES AND COUNTIES, SO WE'RE ABOUT  
19          THREE-QUARTERS OF THE WAY THERE.

20                  CHAIRMAN PENNINGTON: THAT'S ABOUT \$1400  
21          PER CITY AND COUNTY.

22                  MR. ASSMAN: IT WORKS ON A SLIDING SCALE.  
23          OBVIOUSLY SOME CITIES HAVE A LOT LESS MONEY THAN  
24          OTHERS. ALSO, WE HAVE SOME MONEY FROM PRIVATE

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25 PARTNERS. AND THAT \$200,000 BUDGET DOES NOT  
83

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1       INCLUDE IN-KIND CONTRIBUTIONS.   FOR EXAMPLE, WE'RE  
2       GETTING FIVE MILLION SHOPPING BAGS PRINTED WITH OUR  
3       MESSAGES THIS YEAR.   AND THE VALUE OF THAT IS  
4       OBVIOUSLY TREMENDOUS, AND THAT'S NOT INCLUDED IN  
5       THAT \$200,000 FIGURE.

6               CHAIRMAN PENNINGTON:   AND IT IS  
7       THEORETICAL THAT IF YOU ARE WORKING WITH OTHER  
8       CITIES AND COUNTIES IN THE STATE, THAT THEY TOO  
9       WILL COME AND WANT US TO FINANCE THEM OR HELP  
10      FINANCE THEM IF WE FINANCE YOU, CORRECT?

11             MR. ASSMAN:   WELL, I CAN'T SPECULATE ON  
12      OTHER CITIES AND COUNTIES.   OBVIOUSLY IF OTHER  
13      CITIES AND COUNTIES PUT TOGETHER PROGRAMS, THEY'LL  
14      HAVE TO FUND IT.   I THINK THAT THERE ARE WAYS OF IN  
15      THE LONG TERM MAKING A CAMPAIGN LIKE THIS  
16      AFFORDABLE AND SUSTAINABLE.   I THINK THAT'S ONE OF  
17      THE PROCESSES WE'RE GOING THROUGH IS WE WANT TO BE  
18      ABLE TO FUND THIS ON AN ONGOING BASIS.

19             BOARD MEMBER CHESBRO:   MR. CHAIRMAN, I  
20      WOULD SAY, IN RESPONSE TO THAT QUESTION, THAT IF  
21      OTHER AREAS OF THE STATE ACHIEVE THE LEVEL OF  
22      COOPERATION BETWEEN JURISDICTIONS AND THE LEVEL OF  
23      PRIVATE SECTOR PARTNERSHIP THAT THIS ONE HAS, THEN  
24      I THINK WE OUGHT TO GIVE IT REAL SERIOUS

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25 CONSIDERATION. I MEAN IF WE HAD A PROPOSAL LIKE  
84

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1       THIS FOR THE LOS ANGELES BASIN OR FOR SAN DIEGO  
2       AREA, YOU KNOW, I'D WANT TO TAKE IT REAL SERIOUSLY  
3       BECAUSE I THINK IT'S A PRETTY EFFECTIVE USE OF OUR  
4       LIMITED DOLLARS, EVEN THOUGH I KNOW WE DON'T HAVE A  
5       LOT TO GO AROUND, IT DOES MULTIPLY OUR EDUCATION  
6       EFFORTS MANY TIMES OVER TO HAVE THAT KIND  
7       LEVERAGING OF ALL THE DIFFERENT PLAYERS THAT ARE  
8       INVOLVED IN A PROJECT LIKE THIS.

9               BOARD MEMBER JONES:   MR. CHAIRMAN, AT THE  
10      ADMIN COMMITTEE MEETING WHEN THIS THING CAME UP,  
11      IT'S TRUE THIS WENT FORWARD WITHOUT ANY  
12      RECOMMENDATION BECAUSE -- TO HONOR MRS. GOTCH'S  
13      REQUEST.   PART OF THE DISCUSSION WAS WE'RE -- WE  
14      JUST PUT A PLACEHOLDER IN THE CONTRACT CONCEPTS SO  
15      THAT WE COULD DEVELOP A POLICY, I GUESS, OR A --  
16      THE APPARATUS WE'RE GOING TO BE ABLE TO DO THESE  
17      BECAUSE WE'D HAD A COUPLE OF THESE IN THE LAST  
18      COUPLE OF MONTHS WHERE PEOPLE ARE ASKING FOR MONEY  
19      AND WE DON'T HAVE ANY MONEY AND WE DON'T HAVE A WAY  
20      TO GIVE THEM MONEY OR WE DON'T HAVE ANY TYPE OF  
21      CRITERIA SET UP.   SO THAT MONEY WAS PUT ASIDE, YOU  
22      KNOW, AFTER WE DEVELOPED SOME KIND OF A CRITERIA.

23               I WAS -- I FEEL THE SAME WAY THAT WE

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24 DID ON AMERICA RECYCLES. WE DON'T HAVE A PIECE IN

25 PLACE; HOWEVER, MRS. GOTCH BROUGHT UP THE IDEA OF

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1 THE USED OIL MESSAGE. AND, YOU KNOW, STAFF SEEMED  
2 TO LIKE THE IDEA OF PUTTING A USED OIL MESSAGE  
3 OUT. AND THAT WAS SOMETHING THAT I THOUGHT MADE  
4 SENSE.

5 I JUST DON'T -- NOTHING'S CHANGED  
6 SINCE WE DID AMERICA RECYCLES. WE STILL DON'T HAVE  
7 A POLICY IN PLACE. WE DO TODAY PUT SOME MONEY  
8 ASIDE FOR THE NEXT YEAR, BUT NOTHING HAS CHANGED AS  
9 FAR AS THE POLICY AND A CRITERIA HOW WE GIVE MONEY  
10 OUT. YOU KNOW, I THINK SOMEWHERE WE NEED TO GET TO  
11 THE DISCUSSION OF THE USED OIL MESSAGE BECAUSE I  
12 SEE THAT AS TWO SEPARATE RESOLUTIONS. I SEE A  
13 RESOLUTION HERE THAT IS -- HAS TO IDENTIFY FUNDS  
14 TO -- IF WE WERE TO VOTE TO SUPPORT THIS, THEY'D BE  
15 IWMA FUNDS THAT WOULD HAVE TO COME OUT OF SOME  
16 OTHER PROGRAM THAT WE HAVEN'T EVEN IDENTIFIED YET  
17 AND A RESOLUTION LOOKING AT USING OIL MONEY FOR THE  
18 OIL MESSAGE PART OF THIS HASN'T BEEN PROPOSED YET.

19 AND I SEE THAT AS TWO SEPARATE --  
20 BECAUSE I CAN'T SUPPORT THIS JUST BASED ON THE  
21 ADMINISTRATIVE PART OF IT, BUT I DON'T HAVE A  
22 PROBLEM WITH THE OIL MESSAGE BECAUSE I THINK IT'S  
23 IMPORTANT THAT WE GET THAT OIL MESSAGE OUT.



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24 BOARD MEMBER GOTCH: I HAVE A  
25 RECOMMENDATION TO MAKE. I DON'T KNOW IF WE HAVE

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1       OTHER SPEAKERS.  ALSO SOMETHING I HAD ASKED MR.  
2       ASSMAN IN COMMITTEE WAS IF WE COULD GET -- IF WE  
3       WOULD HAVE THE OPPORTUNITY TO USE OUR NEW CUT YOUR  
4       TRASH IN HALF 50 PERCENT BY THE YEAR 2000 LOGO ON  
5       SOME OF THE MEDIA EFFORTS.  WHAT I'D LIKE TO ASK,  
6       WITH BOARD CONSENT, IS TO DIRECT STAFF TO CONTINUE  
7       TO PURSUE THIS OPTION AND BRING BACK AN ITEM IN  
8       DECEMBER THAT ADDRESSES THE OIL MONEY ISSUE, THE  
9       PROGRAM CONTENT, DELIVERABLES, FUNDING REQUIRED.

10                   ADDITIONALLY, I WANT TO RECOMMEND  
11       THAT THE SMART SHOP CAMPAIGN BE CONSIDERED FOR THE  
12       IWMA MONEY FROM THE SPONSORSHIP-PARTNERSHIP LINE IN  
13       DECEMBER AS WELL.  SO MORE OR LESS THIS WOULD BE  
14       MOVING THIS TO NEXT MONTH.

15                   BOARD MEMBER RELIS:  WELL, I -- IT JUST  
16       STRUCK ME.  I DON'T MIND -- ACTUALLY THIS PROGRAM  
17       FROM THE PRESENTATIONS MADE AND ALL IS A PREVENTION  
18       MESSAGE, AND I'M SUPPORTIVE OF THAT.  I THOUGHT  
19       WHAT WAS BEING CONTEMPLATED WAS THIS WOULD BE OIL  
20       MONEY ON THE SPONSORSHIP SIDE.  I MEAN IF YOU'RE  
21       LOOKING AT 25,000 AND A GOOD CHUNK OF THAT COMING  
22       OUT OF THE SPONSORSHIP, THAT'S GOING TO LIMIT OUR  
23       SPONSORSHIPS GREATLY.

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24 I DO HAVE SOME CONCERN THERE. SO

I'M

25 A BIT CONFUSED NOW. I THOUGHT THAT THIS WAS

JUST A

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1       REQUEST THAT HAD BEEN DETERMINED THAT OIL MONEY  
2       COULD BE USED TO FUND IT.  SO IF I MISSED THAT,  
3       THEN I GUESS I DID MISS IT, RIGHT?  IS THAT RIGHT?

4               CHAIRMAN PENNINGTON:  IT'S -- ACTUALLY  
5       RIGHT NOW IT'S A REQUEST FOR 25 OUT OF THE IWMA.  
6       MRS. GOTCH IS SUGGESTING THAT WE GET IT OUT OF THE  
7       OIL, AND THERE IS SOME PORTION OF IT CAN BE  
8       FINANCED OUT OF THE OIL.  AND I THINK MRS. GOTCH IS  
9       SUGGESTING \$10,000, BUT THAT WOULD HAVE TO BE PART  
10      OF THE RESOLUTION, WHICH IT ISN'T NOW.  I THINK  
11      WHAT SHE'S SUGGESTING NOW WAS THAT WE --

12             BOARD MEMBER GOTCH:  I'M READY TO MOVE ON  
13      THIS.  I'M NOT SUGGESTING THAT WE STAY WITH  
14      \$10,000.  I THINK WE HAVE MORE FLEXIBILITY TO MOVE  
15      IT IF THERE'S UP TO \$20,000.

16             CHAIRMAN PENNINGTON:  I DON'T KNOW THAT WE  
17      HAVE \$20,000.

18             BOARD MEMBER GOTCH:  I BELIEVE THERE IS.  
19      LET ME FIND THE PAGE FOR YOU.

20             MR. CHANDLER:  MR. CHAIRMAN, JUST SO I'M  
21      CLEAR ON WHAT I THINK WE'RE TRYING TO DO AND THE  
22      PROPOSAL ON THE TABLE, IT WAS MY UNDERSTANDING THAT  
23      WE WERE GOING TO BRING BACK TO THE COMMITTEE AND  
24      THEN THE BOARD IN DECEMBER A POLICY ITEM THAT WAS

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25        GOING TO FLUSH OUT JUST EXACTLY HOW WE WERE GOING  
             88

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1 TO USE -- I THINK WE HAVE 40,000 THAT YOU JUST SET  
2 ASIDE FOR SPONSORSHIPS. WE'VE HAD A POLICY IN THE  
3 PAST THAT WE DO NOT DO SPONSORSHIPS. NOW YOU'VE  
4 MADE THE DECISION THAT YOU WANT TO WADE BACK INTO  
5 THAT ARENA. SO WE'RE GOING TO LOOK AT SPONSOR-  
6 SHIPS; BUT, OF COURSE, WHAT WE FEEL WE NEED AROUND  
7 SPONSORSHIPS IS A CRITERIA. HOW IS THE  
8 SOLICITATION PROCESS GOING TO BE USED? HOW ARE  
9 THEY GOING TO BE SCORED, ETC.

10 SO I'VE ASKED THE POLICY OFFICE TO  
11 COME BACK IN DECEMBER WITH THAT GENERIC PROGRAM  
12 PLAN OF HOW WE ARE GOING TO ALLOCATE \$40,000 FOR  
13 SPONSORSHIPS. NOW, IF MRS. GOTCH'S PROPOSAL IS  
14 THAT AT THE SAME TIME WE TAKE FROM THAT \$40,000,  
15 SAY, 15 SUPPLEMENTED WITH ANOTHER TEN FROM OIL TO  
16 SPONSOR THE SMART SHOP PROGRAM, THAT'S BEFORE YOU  
17 AS A CONCEPT. I'M JUST SAYING THAT I DON'T THINK  
18 WE WERE GOING TO BE IN DECEMBER READY TO NOT ONLY  
19 PRESENT YOU THE PROGRAM, BUT RUN A PROPOSAL RIGHT  
20 THROUGH IT TO TWO AGENDA ITEMS LATER.

21 WE WERE GOING TO, I THINK, COME OUT  
22 WITH A SOLICITATION AND ALLOW OTHERS TO CONSIDER  
23 COMPETING FOR THE SPONSORSHIP PROGRAM.

24 BOARD MEMBER GOTCH: THAT'S WHAT I'D LIKE

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25        YOU TO DO.

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1                   MR. CHANDLER: YOU'D LIKE US TO TAKE THE  
2 PROGRAM, DESIGN IT, AND ON THE HEELS OF ADOPTING  
3 THAT PROGRAM, THEN TAKE THIS PROGRAM AND HAVE IT BE  
4 THE FIRST OUT OF THE BLOCKS FOR FUNDING UNDER THE  
5 SPONSORSHIP PROGRAM. SO I JUST WANTED TO CLARIFY  
6 WHAT I THOUGHT HER PROPOSAL WAS.

7                   AND I THINK THAT ASKS THE QUESTION OF  
8 EQUITY OR FAIRNESS IF THERE'S OTHERS THAT WANT TO  
9 COMPETE TO A PROGRAM THAT WE HAVEN'T YET FULLY  
10 DEVELOPED. BUT OBVIOUSLY WE HAVE QUITE A BIT OF  
11 EXPERIENCE OR BACKGROUND ON THE SMART SHOP PROGRAM.  
12 SO I THINK FROM MRS. GOTCH'S PERSPECTIVE, SHE FEELS  
13 PRETTY COMFORTABLE WITH WHAT WE'RE GOING TO GET FOR  
14 THOSE DOLLARS.

15                  BOARD MEMBER GOTCH: I DO. I WAS GOING TO  
16 POINT OUT -- LET'S SEE -- IT WOULD BE ON PAGE 4-7  
17 UNDER USED OIL FUND, IF YOU LOOK DOWN AT THE  
18 BOTTOM, USED OIL EDUCATION INFO FUND BALANCE AT  
19 \$20,000. THIS HAD NOT BEEN FLUSHED OUT WHEN I  
20 FIRST SUGGESTED IT. IF THE BOARD MEMBERS ARE READY  
21 TO GO AHEAD WITH, AS MR. RELIS HAD SAID, WITH THE  
22 OIL FUNDING, THEN I'D LIKE TO MOVE AHEAD WITH THAT  
23 NOW.



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24 BOARD MEMBER RELIS: ONE CLARIFICATION

25 AGAIN. YOU ARE PROPOSING NOW THAT YOU WOULD APPLY

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1 THE \$20,000 FUND BALANCE OUT OF THE USED OIL FUND  
2 TO THIS PROGRAM AND THAT'S THE EXTENT.

3 BOARD MEMBER GOTCH: NO. THAT WE WOULD  
4 USE SOME OIL FUND MONEY, BUT THEN ALSO NEXT MONTH,  
5 WHEN WE TAKE UP THE SPONSORSHIP/PARTNERSHIP ITEM,  
6 THAT WE WOULD CONSIDER THIS TO HELP FUND THE  
7 BALANCE OF THE REMAINING MONIES THAT ARE NECESSARY  
8 FOR --

9 BOARD MEMBER RELIS: WELL, I GUESS WHAT  
10 I'M TRYING TO BE CLEAR ON, BECAUSE WE HAVEN'T HAD  
11 THE DISCUSSION OF THE SPONSORSHIP, AND I HAVE MY  
12 OWN IDEAS ABOUT, YOU KNOW, SPONSORSHIPS, AND I'M  
13 SURE ALL OF US DO. SO I'M NOT, I SUPPOSE, WILLING  
14 TO, YOU KNOW, MAKE IT CONTINGENT. IF WE WERE  
15 LOOKING AT TODAY TAKING \$20,000 AND THAT'S IT, AND  
16 THEN THE DISCUSSION OF THE SPONSORSHIPS IS  
17 COMPLETELY A STAND ALONE, THEN I COULD PROBABLY  
18 LIVE WITH THAT.

19 BOARD MEMBER CHESBRO: I THINK THAT'S  
WHAT  
20 MRS. GOTCH IS SAYING. IT'S JUST THAT WOULD BE  
21 CONSIDERED, BUT NOT THAT THE BOARD MAKE A  
22 COMMITMENT ON THAT TODAY. YOU KNOW, THAT THAT BE

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23        DECIDED LATER.    THE ONLY THING WE WOULD DECIDE ON  
24        TODAY OTHER THAN SAYING WE'LL DECIDE ON THAT LATER  
25        WOULD BE THE OIL PORTION OF IT.

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1                   BOARD MEMBER RELIS: I COULD NOT SUPPORT  
2                   TAKING A PIECE OUT OF THAT MONEY BY ACTION TODAY.

3                   BOARD MEMBER GOTCH: YOU'RE TALKING ABOUT  
4                   THE SPONSORSHIP. NO, I'M NOT ASKING THAT AT THIS  
5                   TIME. WE'LL LOOK AT THAT NEXT MONTH, BUT I'D LIKE  
6                   TO SUGGEST THAT TODAY WE TAKE A LOOK AT THIS OIL  
7                   FUND MONEY. PERHAPS IT'S 15,000 AND THEN NEXT  
8                   MONTH WHEN WE CONSIDER THE SPONSORSHIP PARTNERSHIP  
9                   ISSUE, WE CONSIDER SMART SHOP.

10                  BOARD MEMBER RELIS: WELL, NOW WAIT. IT  
11                  WAS 20, SO IT'S GOING DOWN.

12                  BOARD MEMBER GOTCH: 20. 20. 20. 20.

13                  CHAIRMAN PENNINGTON: SOUNDS LIKE AN  
14                  AUCTION GOING ON.

15                  BOARD MEMBER JONES: CAN I ASK A QUESTION,  
16                  MR. CHAIRMAN? WHEN DO YOU NEED THE MONEY BY?

17                  MR. ASSMAN: THE CAMPAIGN RUNS MID-JANUARY  
18                  THROUGH THE FIRST PART OF FEBRUARY.

19                  BOARD MEMBER JONES: LET ME TELL YOU, IF  
20                  WE WIND UP GETTING INTO A DISCUSSION IN ADMIN AND  
21                  SETTING THE CRITERIA, YOU -- WE WON'T HAVE THAT  
22                  DONE IN TIME FOR THIS YEAR'S PROGRAM. THERE'S NO  
23                  WAY. I MEAN MR. RELIS HAS ISSUES; WE ALL HAVE  
24                  ISSUES.

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25

I THOUGHT THE DISCUSSION AT THE  
92

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1 COMMITTEE WAS TO LOOK AT A SIGNIFICANT OIL MESSAGE,  
2 AND SO I WOULD -- CAN I OFFER A SUBSTITUTE MOTION?

3 CHAIRMAN PENNINGTON: SHE HASN'T ACTUALLY  
4 PUT A MOTION FORWARD.

5 BOARD MEMBER JONES: SHE HASN'T. I'D LIKE  
6 TO -- THIS IS ON THE FLY, SO SOMEBODY NEEDS TO MAKE  
7 SURE I DON'T MESS THIS UP. I WOULD LIKE TO AMEND  
8 RESOLUTION 97-533, WHICH HAS BEEN PROPOSED BY  
9 STAFF, TO HAVE AN AMOUNT OF \$15,000 FOR A  
10 SIGNIFICANT OR FOR A -- YEAH, THAT'S THE RIGHT WORD  
11 I WANT TO USE -- SIGNIFICANT -- I WAS IN L.A. LAST  
12 WEEK -- SIGNIFICANT OIL MESSAGE AS PART OF THE SHOP  
13 SMART CAMPAIGN, AND THAT THOSE DOLLARS COME FROM  
14 THE \$20,000 FUND BALANCE IN THE OIL ACCOUNT,  
15 LEAVING A BALANCE OF \$5,000 IN THERE IF THERE IS  
16 ANYTHING ELSE.

17 BOARD MEMBER RELIS: SECOND.

18 CHAIRMAN PENNINGTON: OKAY. THE MOTION IS  
19 IS TO TAKE 15,000 OUT OF THE OIL FUND TO FUND --

20 BOARD MEMBER GOTCH: MAY -- I'D ALSO LIKE  
21 TO ASK THAT INCLUDED IN THIS THAT NEXT MONTH WHEN  
22 WE CONSIDER THE SPONSORSHIP/PARTNERSHIPS, THAT SHOP  
23 SMART BE THE NO. 1 ITEM OFF THE BLOCK.

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24                   BOARD MEMBER CHESBRO:   MEANING SIMPLY THAT  
25       IT WOULD BE LISTED IT FOR CONSIDERATION.

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1                   BOARD MEMBER GOTCH:   LISTED FOR CONSIDERA-  
2   TION.

3                   BOARD MEMBER JONES:   BUT NOT ACTION.

4                   BOARD MEMBER GOTCH:   CONSIDERATION NEXT  
5   MONTH.

6                   BOARD MEMBER CHESBRO:   LET ME POINT OUT,  
7   STEVE, AND I WOULD LIKE TO TRY TO CONVINCE YOU OF  
8   THIS, THAT IT'S SIMPLY KEEPING THE OPTION OPEN.  IF  
9   THERE'S CONCURRENCE AND THINGS COME TOGETHER AROUND  
10  THE THING NEXT MONTH AND IT'S THE NEXT ITEM ON THE  
11  AGENDA, THE COMMITTEE AND BOARD CAN DECIDE UP OR  
12  DOWN THEN WHETHER THEY'RE READY TO SUPPLEMENT THE  
13  OIL MONEY WITH CONTRIBUTION MONEY.  IF NOT, NOT.  
14  YOU KNOW, YOU HAVE THE ABILITY TO DECIDE THAT  
15  DEPENDING ON HOW THE CRITERIA ISSUE GOES NEXT  
16  MONTH.

17                   I MEAN I DON'T THINK YOU DON'T LOSE  
18  ANY OPTIONS BY AGREEING TO LIST IT ON THE AGENDA  
19  NEXT MONTH.

20                   MS. TOBIAS:   MR. CHAIR, MAY I INJECT A  
21  NOTE OF CAUTION HERE.  THE ITEM BASICALLY LISTS THE  
22  FUND SOURCES, THE IWMA.  SO THE ITEM HAS NOT BEEN  
23  NOTICED FOR THE USE OF OIL FUNDS.  I THINK THAT



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24        THAT'S, YOU KNOW, SOMETHING THAT THE BOARD CAN

25        BASICALLY TAKE INTO ACCOUNT HERE.  I'M NOT SAYING

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1        THAT YOU CAN'T ACT ON IT.  I'M MERELY RAISING THIS  
2        AS AN ISSUE THAT YOU MIGHT WANT TO CONSIDER.

3                CHAIRMAN PENNINGTON:  IT SOUNDS LIKE TO ME  
4        THAT WE SHOULD GO BACK TO A MOTION AS MRS. GOTCH  
5        STARTED OUT SUGGESTING, THAT WE THROW THIS BACK IN  
6        THE LAP OF THE STAFF AND LOOK AT IT WITH ALL OF  
7        THESE THINGS DONE.

8                BOARD MEMBER GOTCH:  ALTHOUGH SHE SAID  
9        THERE IS AN OPENING THERE.  WE CAN GO AHEAD IF WE  
10       CHOOSE.

11               BOARD MEMBER CHESBRO:  WE MODIFY ITEMS  
12       THAT STAFF PUT BEFORE US ALL THE TIME, AND ALL THIS  
13       INFORMATION IS IN THE SAME AGENDA ITEM.  I CAN'T  
14       IMAGINE ANYBODY IS GOING TO SAY, "WELL, YOU  
15       COULDN'T DECIDE TO SUPPLEMENT OR MODIFY WHAT THE  
16       STAFF HAS RECOMMENDED OR PUT BEFORE YOU OR THE  
17       COMMITTEE PUT BEFORE US."  IF THAT WERE THE  
18       CRITERIA, BOY, WE'D BE HAMSTRUNG ON ITEMS ALL DAY  
19       LONG AT EVERY BOARD MEETING.

20               CHAIRMAN PENNINGTON:  HAS THE ITEM ON  
21       SPONSORSHIPS, HAS THAT BEEN NOTICED ALREADY?  ARE  
22       WE PAST THE DEADLINE FOR THE COMMITTEE?

23               MS. PEDERSON:  IF -- MR. CHAIRMAN, IF I

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24        COULD JUST ADD ONE OTHER CLARIFYING POINT ALSO FOR  
25        THE STAFF BENEFIT AND UNDERSTANDING WHERE YOU MIGHT

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1       WANT TO GO WITH THIS ITEM TODAY.  AGAIN, I'M SUSAN  
2       PEDERSON, ASSISTANT DIRECTOR IN THE EXECUTIVE  
3       OFFICE, AND I'M ALSO ACTING FOR THE POLICY OFFICE,  
4       WHICH IS BRINGING FORWARD THE SPONSORSHIP ITEM NEXT  
5       MONTH.

6                       THE CONTENT OF THAT ITEM IS, AS MR.  
7       CHANDLER ALLUDED TO, CRITERIA BY WHICH YOU WOULD  
8       THEN DECIDE OUT OF PERHAPS MULTIPLE INTERESTS THAT  
9       WOULD LIKE RECEIVE MONEY FROM THE BOARD, CRITERIA  
10      WHICH WOULD THEN DEFINE AN APPROACH AND AN OUTCOME  
11      OF CERTAIN PEOPLE GETTING FUNDING.

12                     ANOTHER ASPECT OF THAT ITEM WOULD BE  
13      THE VEHICLE BY WHICH YOU WOULD DO THAT, WHICH  
14      WOULD -- WE'RE WORKING WITH THE ADMINISTRATION  
15      DIVISION AND THE LEGAL OFFICE ON THAT ANSWER AND  
16      THAT ISSUE NOW.  IT COULD BE THAT FOR SOME OF THESE  
17      PROGRAMS, THERE WILL BE MULTIPLE PARTIES THAT WILL  
18      WANT TO POTENTIALLY COMPETE FOR THE FUNDS.  IT WAS  
19      NOT OUR ANTICIPATION IN DECEMBER TO AT THIS TIME  
20      PLAN TO HEAR OR PUT FORWARD ALL THE IDEAS AND THE  
21      DIFFERENT INTERESTS THAT WOULD LIKE TO COMPETE FOR  
22      THAT FUNDING.

23                     SO I JUST WANTED TO MAKE SURE FOR THE  
24      BOARD'S ACTION AT THIS TIME THAT YOU UNDERSTOOD

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25        WHAT THE STAFF WAS BRINGING FORWARD NOT BE SORT OF  
96

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1 A COMPLETE LIST OF ALL THE PARTIES INTERESTED, BUT  
2 RATHER A CRITERIA AND A VEHICLE BY WHICH TO OPERATE  
3 A PROGRAM OF THIS KIND.

4 BOARD MEMBER CHESBRO: MR. CHAIRMAN, IS  
5 THERE A MOTION ON THE FLOOR?

6 CHAIRMAN PENNINGTON: YES. THERE'S A  
7 MOTION ON THE FLOOR. MOTION IS BY MR. JONES TO  
8 TAKE \$15,000 FROM THE OIL FUND AND SHOW THAT WE  
9 HAVE A SIGNIFICANT MESSAGE THERE OUT OF OIL FUNDS.

10 BOARD MEMBER CHESBRO: WHAT IS THE  
11 POSITION OF THE MAKER OF THE MOTION WITH RELATION  
12 TO LISTING SOMETHING NEXT MONTH ON THE CRITERIA FOR  
13 SPONSORSHIPS FOLLOWING THAT ITEM?

14 BOARD MEMBER JONES: THE MAKER OF THE  
15 MOTION WOULD LIKE TO LEAVE IT THE WAY THE MOTION  
16 WAS. I THINK THAT ANY OTHER DISCUSSION IS ANOTHER  
17 DISCUSSION. I DON'T WANT TO CONDITION THIS BECAUSE  
18 I'M TRYING TO MAKE IT WORK. AND THE ONLY WAY I CAN  
19 MAKE IT WORK FOR ME IS TO MAKE IT A CLEAN MESSAGE.  
20 THERE'S AN OIL MESSAGE, WE'LL GIVE THEM 15 GRAND,  
21 IF THE BOARD SO DESIRES. ANOTHER ISSUE WILL COME  
22 AFTER WE SET UP THE CRITERIA. I THINK WE DO THEM A  
23 DISSERVICE TO BRING THEM IN IN JANUARY OR DECEMBER  
24 WHEN WE HAVEN'T EVEN DETERMINED WHAT A CRITERIA IS

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25 OR WHAT ISSUE.

97

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1                   I REMEMBER THE BUY RECYCLED  
2       DISCUSSION SAID I WANT TO SEE CRRA, I WANT TO SEE  
3       THIS, I WANT TO SEE THAT. TO PUT THIS TO THE TOP,  
4       I MAY NOT EVEN VOTE FOR MY OWN MOTION. OIL  
5       MONEY --

6                   BOARD MEMBER CHESBRO: COULD I SUGGEST  
7       THEN IF WE'RE GOING TO PRECLUDE -- IF THE MAJORITY  
8       OF THE BOARD DOESN'T WANT TO HEAR THIS SPONSORSHIP  
9       ITEM NEXT MONTH, THEN THAT WE GO BACK TO THE 20,000  
10      ON THAT MOTION INSTEAD OF 15 FOR THE OIL AND JUST  
11      LEAVE IT AT THAT AND NOT WORRY RIGHT NOW ABOUT  
12      WHETHER OR NOT IWM MONEY -- SPONSORSHIP MONEY IS  
13      GOING TO GO INTO SHOP SMART?

14                  BOARD MEMBER JONES: THAT TAKES OUR  
15      BALANCE DOWN TO ZERO. THAT WAS THE ONLY REASON I  
16      SAID 15, JUST IN CASE SOMETHING COMES UP IN THE  
17      NEXT SIX MONTHS, WE WILL HAVE ZERO DOLLARS. AND  
18      THAT'S WHY I THOUGHT 15 WOULD LEAVE US AT LEAST A  
19      \$5,000 PIECE.

20                  CHAIRMAN PENNINGTON: MR. FRAZEE.

21                  BOARD MEMBER FRAZEE: MR. CHAIRMAN, I'M  
22      HAVING SOME DIFFICULTY UNDERSTANDING WHERE WE'RE  
23      GOING HERE, PARTICULARLY IN THE -- WHAT WE'RE



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24 STRUGGLING WITH IS THE CART BEFORE THE HORSE

25 SITUATION AND WHY IT'S ALL RIGHT TO VIOLATE THAT

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1 POLICY WITH OIL MONEY AND IT'S NOT WITH IWMA MONEY  
2 CAUSES ME SOME CONCERN. IF THE POLICY IS ONE THAT  
3 NEEDS TO WAIT UNTIL WE ADOPT A POLICY, THEN THAT  
4 OUGHT TO BE ACROSS THE BOARD FOR ALL FUNDING  
5 SOURCES. AND I CANNOT SUPPORT THE MOTION AS MUCH  
6 AS I HAVE SOME FEELING FOR THIS PROGRAM.

7 BOARD MEMBER CHESBRO: JUST FOR THOSE  
8 LANDSCAPERS AND THE LAWN MOWERS IN SOUTHERN  
9 CALIFORNIA, THAT COULD BE INTERPRETED AS A  
10 CONTRIBUTION AS WELL FROM THE OIL FUND. SO I  
THINK

11 THE PRECEDENT HAS BEEN SET FOR THIS YEAR ANYWAY  
12 THAT FROM THE OIL FUND WE ARE --

13 CHAIRMAN PENNINGTON: I'M NOT SURE I  
AGREE

14 WITH THAT. I CONSIDER THAT A DEMONSTRATION  
PROJECT

15 AS THIS WAS TWO YEARS AGO WHEN WE PUT A HUNDRED  
16 FIFTY THOUSAND INTO IT.

17 BOARD MEMBER GOTCH: THIS IS ALSO  
18 SOMETHING THAT'S BEEN PROVEN THOUGH. IT'S PROVEN  
19 TO WORK, AND WE'RE ABLE TO REACH MILLIONS OF  
20 PEOPLE --

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21 CHAIRMAN PENNINGTON: THAT'S TRUE.

22 BOARD MEMBER GOTCH: -- WITH OUR WASTE  
23 REDUCTION MESSAGE.

24 CHAIRMAN PENNINGTON: BUT WE DID PUT

25 150,000 IN IT TWO YEARS AGO, WHICH WAS THE

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1 KICKSTART, AND IT APPARENTLY DIDN'T KICKSTART IT  
2 ENOUGH THAT IT'S SELF-SUFFICIENT YET. WE HAVE A  
3 MOTION ON THE FLOOR. IF THERE'S NO FURTHER  
4 DISCUSSION, WILL THE SECRETARY CALL THE ROLL.

5 THE SECRETARY: BOARD MEMBER CHESBRO.

6 BOARD MEMBER CHESBRO: AYE.

7 THE SECRETARY: FRAZEE.

8 BOARD MEMBER FRAZEE: NO.

9 THE SECRETARY: GOTCH.

10 BOARD MEMBER GOTCH: AYE.

11 THE SECRETARY: JONES.

12 BOARD MEMBER JONES: AYE.

13 THE SECRETARY: RELIS.

14 BOARD MEMBER RELIS: AYE.

15 THE SECRETARY: CHAIRMAN PENNINGTON.

16 CHAIRMAN PENNINGTON: NO. MOTION

17 CARRIES.

18 BOARD MEMBER CHESBRO: MR. CHAIRMAN, I'D  
19 LIKE TO MOVE THAT WE PLACE AN ITEM ON THE  
20 COMMITTEE'S AGENDA FOLLOWING THE CRITERIA FOR  
21 SPONSORSHIPS NEXT MONTH FOR CONSIDERATION OF SOME  
22 SUPPLEMENTATION UNDER THE SPONSORSHIP FUNDING OF  
23 THE SHOP SMART PROGRAM.

24 BOARD MEMBER GOTCH: AND I'LL SECOND.

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25

CHAIRMAN PENNINGTON: WE CAN AMEND TO GET  
100

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1        THAT ON.    OKAY.    MR. CHESBRO MOVES THAT THE ITEM BE  
2        PLACED ON THE -- THE REMAINING FUNDS BE PLACED ON  
3        THE AGENDA FOR THE NEXT BOARD MEETING.    AND I'M  
4        SURE IT WILL HAVE TO GO THROUGH THE COMMITTEE.

5                    IF THERE'S NO FURTHER DISCUSSION,  
6        WILL THE SECRETARY CALL THE ROLL.

7                    THE SECRETARY:    BOARD MEMBER CHESBRO.

8                    BOARD MEMBER CHESBRO:    AYE.

9                    THE SECRETARY:    FRAZEE.

10                   BOARD MEMBER FRAZEE:    AYE.

11                   THE SECRETARY:    GOTCH.

12                   BOARD MEMBER GOTCH:    AYE.

13                   THE SECRETARY:    JONES.

14                   BOARD MEMBER JONES:    AYE.

15                   THE SECRETARY:    RELIS.

16                   BOARD MEMBER RELIS:    I WAS GOING TO SAY NO  
17        BECAUSE IT'S INCONSISTENT WITH WHAT I SAID EARLIER.  
18        I'LL STAND WITH A NO.

19                   THE SECRETARY:    CHAIRMAN PENNINGTON.

20                   CHAIRMAN PENNINGTON:    NO.    MOTION  
21        CARRIES.

22                   WE'LL MOVE TO ITEM 21, CONSIDERATION  
23        OF A REVISED SOLID WASTE FACILITY PERMIT -- WE'LL

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24        TAKE A FIVE-MINUTE BREAK HERE .

25                        (RECESS TAKEN.)

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1                   CHAIRMAN PENNINGTON:    OKAY.   IF WE CAN  
2   COME BACK TO ORDER HERE, WE CAN GET THROUGH A  
3   COUPLE MORE BEFORE WE BREAK FOR LUNCH.

4                   OKAY.   WE'VE GOT A QUORUM.   I THINK  
5   MRS. GOTCH WILL BE RIGHT BACK.   WE'LL START WITH  
6   CONSIDERATION OF A REVISED SOLID WASTE FACILITY  
7   PERMIT FOR THE ZANKER ROAD CLASS III LANDFILL IN  
8   SANTA CLARA COUNTY.   DOROTHY RICE.

9                   MS. RICE:   THANK YOU, MR. CHAIRMAN AND  
10  MEMBERS.   JON WHITEHILL WILL MAKE THIS PRESENTA-  
11  TION.

12                  MR. WHITEHILL:   GOOD MORNING, MR.  
13  CHAIRMAN, BOARD MEMBERS.   THIS PERMIT BEFORE YOU IS  
14  BEING REVISED TO REFLECT CHANGES IN FACILITY  
15  OPERATION AND TO MORE SPECIFICALLY CONDITION SITE  
16  DESIGN PARAMETERS.   FOR INSTANCE, THE 1985 PERMIT  
17  ALLOWED THE LANDFILL TO ACCEPT AN AVERAGE OF 350  
18  TONS OF WASTE PER DAY AND ENCOURAGED RECOVERY OF  
19  RECYCLABLE MATERIALS.   THE PROPOSED PERMIT ALLOWS  
20  THE FACILITY TO RECEIVE A MAXIMUM OF 1300 TONS OF  
21  MATERIAL PER DAY, COMPOST 200 TONS OF GREEN  
22  MATERIAL PER DAY, AND DISPOSE OF 300 TONS OF WASTE  
23  PER DAY.   FIFTY TO 90 PERCENT OF INCOMING MATERIAL  
24  IS CURRENTLY DIVERTED FOR RECYCLING.



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25

AS THE BOARD AGENDA ITEM FOR THIS  
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1 PERMIT WENT TO PRINT AND ALSO IN MY REPORT TO THE  
2 PERMITTING AND ENFORCEMENT COMMITTEE, I WAS UNABLE  
3 TO INCLUDE A STAFF RECOMMENDATION BECAUSE WE WERE  
4 STILL WAITING TO CONFIRM THE OPERATING LIABILITY  
5 AND INTEGRATED WASTE MANAGEMENT PLAN FINDINGS.  
6 STAFF HAVE SINCE MADE ALL THE REQUIRED FINDINGS,  
7 INCLUDING THOSE ITEMS PREVIOUSLY MENTIONED, AND  
8 STAFF CAN NOW RECOMMEND THAT THE BOARD ADOPT  
9 RESOLUTION NO. 97-500, CONCURRING IN THE ISSUANCE  
10 OF SOLID WASTE FACILITIES PERMIT NO. 43-AN-0007.  
11 THE LEA IS NOT HERE TODAY, BUT REPRESENTATIVES OF  
12 THE OPERATOR ARE HERE IN CASE YOU HAVE QUESTIONS.

13 CHAIRMAN PENNINGTON: OKAY. ANY QUESTIONS  
14 OF MR. WHITEHILL?

15 BOARD MEMBER JONES: MR. CHAIRMAN, I'D  
16 LIKE TO MAKE A MOTION THAT WE ADOPT RESOLUTION  
17 97-500.

18 BOARD MEMBER RELIS: SECOND.

19 CHAIRMAN PENNINGTON: OKAY. IT'S BEEN  
20 MOVED AND SECONDED THAT RESOLUTION NO. 500 BE  
21 ADOPTED. IF THERE'S NO FURTHER DISCUSSION,  
22 SECRETARY CALL THE ROLL, PLEASE.

23 THE SECRETARY: BOARD MEMBER  
CHESBRO.

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24 BOARD MEMBER CHESBRO: AYE.

25 THE SECRETARY: FRAZEE.

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1 BOARD MEMBER FRAZEE: AYE.

2 THE SECRETARY: GOTCH.

3 BOARD MEMBER GOTCH: AYE.

4 THE SECRETARY: JONES.

5 BOARD MEMBER JONES: AYE.

6 THE SECRETARY: RELIS.

7 BOARD MEMBER RELIS: AYE.

8 THE SECRETARY: CHAIRMAN PENNINGTON.

9 CHAIRMAN PENNINGTON: AYE. MOTION

10 CARRIES.

11 BOARD MEMBER JONES: MR. CHAIRMAN, JUST  
12 FOR ONE SECOND, IF I CAN. MICHAEL GROSS IS IN THE  
13 AUDIENCE. EVERYBODY THAT HEARS MY SAN FRANCISCO  
14 EARTHQUAKE STORY AND THE STORY ABOUT HOW WE  
15 RECOVERED THAT STUFF AND WE HAD THAT MANAGER THAT  
16 WAS ON SITE THAT FOUND THAT \$20 BILL THAT SORT OF  
17 WAS THE IMPETUS BEHIND US DOING THAT RECYCLING, I  
18 WANT TO DULY NOTE THAT IT'S MICHAEL GROSS SITTING  
19 IN THAT AUDIENCE THAT WAS THE TRIGGER THAT LET SAN  
20 FRANCISCO RECOVER ALL THAT MATERIAL FOR THE  
21 RESIDENTS OF THE SAN FRANCISCO EARTHQUAKE THAT WERE  
22 DEVASTATED.

23 BOARD MEMBER CHESBRO: I KNOW THE STORY.

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24 I DON'T KNOW IF ALL THE BOARD MEMBERS DO. I THINK

25 IT'S REALLY PRETTY INCREDIBLE THING THAT WAS DONE.

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1                   CHAIRMAN PENNINGTON: WELCOME. YOU GOT 20  
2                   BUCKS. YOU CAN BUY US ALL LUNCH OR SOMETHING.

3                   MR. GROSS: I GAVE IT BACK.

4                   CHAIRMAN PENNINGTON: OKAY. MOVING TO  
5                   ITEM 23, CONSIDERATION OF ADOPTION OF A NEGATIVE  
6                   DECLARATION FOR A MAJOR TIRE FACILITY PERMIT FOR  
7                   THE CALIFORNIA ASBESTOS MONOFILL, CAM, IN CALAVERAS  
8                   COUNTY.

9                   MS. RICE: THANK YOU, MR. CHAIRMAN AND  
10                  MEMBERS. MICHAEL KEFFER WILL PRESENT THIS ITEM AND  
11                  THE FOLLOWING ITEM.

12                  MR. KEFFER: MORNING, MR. CHAIRMAN AND  
13                  MEMBERS OF THE BOARD. ITEM 23 PERTAINS TO THE  
14                  ADOPTION OF A NEGATIVE DECLARATION FOR A MAJOR  
15                  WASTE TIRE FACILITY PERMIT FOR CALIFORNIA ASBESTOS  
16                  MONOFILL, COMMONLY REFERRED TO AS CAM, LOCATED IN  
17                  CALAVERAS COUNTY.

18                  ON SEPTEMBER 17, 1997, A MAJOR WASTE  
19                  TIRE FACILITY PERMIT APPLICATION WAS RECEIVED FROM  
20                  CAM REQUESTING APPROVAL TO STORE WASTE TIRES AT  
21                  THEIR FACILITY IN CALAVERAS COUNTY. NUMEROUS CEQA  
22                  DOCUMENTS WERE PROVIDED AS PART OF THE PERMIT  
23                  APPLICATION; BUT IN REVIEW OF THOSE DOCUMENTS, CEQA

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24 STAFF IN THE PERMITTING AND ENFORCEMENT DIVISION

25 DETERMINED THE POTENTIAL ENVIRONMENTAL EFFECTS OF

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1 ABOVEGROUND STORAGE OF WASTE TIRES WERE NOT  
2 ADEQUATELY ADDRESSED.

3 CEQA STAFF, THEREFORE, PREPARED AN  
4 INITIAL STUDY AND NEGATIVE DECLARATION FOR  
5 DISTRIBUTION TO RESPONSIBLE AND INTERESTED  
6 PARTIES. THOSE DOCUMENTS WERE DISTRIBUTED THROUGH  
7 THE STATE CLEARINGHOUSE ON OCTOBER 16, 1997. THE  
8 REQUIRED COMMENT PERIOD TERMINATED ON NOVEMBER 17,  
9 1997.

10 DURING THE COMMENT PERIOD ONE LETTER  
11 WAS RECEIVED WITH CONCERNS FROM THE POKER FLAT  
12 HOMEOWNERS ASSOCIATION WHOSE MEMBERS RESIDE ON LAKE  
13 TULUCK LOCATED TO THE SOUTH AND WEST OF THE CAM  
14 FACILITY. A COPY OF THAT LETTER WAS DISTRIBUTED  
15 THIS MORNING TO ALL BOARD MEMBERS AND COPIES PLACED  
16 ON THE TABLE IN THE BACK OF THE ROOM FOR MEMBERS OF  
17 THE AUDIENCE. ALSO IN THAT PACKET WAS A COPY OF  
18 THE RESPONSE LETTER PREPARED BY BILL ISHMAEL OF OUR  
19 CEQA STAFF.

20 ON THE FOURTH PAGE IN YOUR PACKET,  
21 PLEASE NOTE THE COMMENTS CONCERNING FIRE, THE  
22 SHREDDING OF TIRES, AND TIRES THAT WERE IN THAT ONE  
23 LETTER RECEIVED FROM THE POKER FLAT HOMEOWNERS  
24 ASSOCIATION.



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25

AT THE FRONT OF THAT PACKET, YOU WILL  
106

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1 FIND THE FOUR-PAGE MEMORANDUM FROM BILL ISHMAEL OF  
2 THE P&E DIVISION CEQA STAFF TO CODY BEGLEY,  
3 SUPERVISOR OF THE TIRE SECTION. ALTHOUGH CEQA DOES  
4 NOT REQUIRE RESPONSE TO COMMENTS FOR A NEGATIVE  
5 DECLARATION, STAFF PREPARED WRITTEN COMMENTS FOR  
6 THE BOARD AND INTERESTED PARTIES AND PRESENT THEM  
7 AS PART OF THIS AGENDA ITEM.

8 TO SUMMARIZE HIS COMMENTS, IT WAS  
9 DETERMINED BY BOARD CEQA STAFF THAT THE CONCERNS  
10 EXPRESSED IN THE LETTER FROM THE POKER FLATS  
11 HOMEOWNERS ASSOCIATION WERE ADEQUATELY ADDRESSED IN  
12 CEQA DOCUMENTS PREVIOUSLY PREPARED BY CAM AND DID  
13 NOT PERTAIN TO THE ABOVEGROUND STORAGE OF WASTE  
14 TIRES FOR WHICH THIS NEGATIVE DECLARATION HAD BEEN  
15 PREPARED. THEREFORE, STAFF RECOMMENDS THE BOARD  
16 ADOPTION OF RESOLUTION 97-505, THE NEGATIVE  
17 DECLARATION FOR A MAJOR WASTE TIRE FACILITY PERMIT  
18 FOR CALIFORNIA ASBESTOS MONOFILL IN CALAVERAS  
19 COUNTY. THAT COMPLETES MY PRESENTATION.

20 CHAIRMAN PENNINGTON: ANY QUESTIONS?

21 BOARD MEMBER GOTCH: QUESTIONS.

22 CHAIRMAN PENNINGTON: MRS. GOTCH.

23 BOARD MEMBER GOTCH: THANK YOU, MR. CHAIR.

24 THIS PERMIT ALLOWS FOR THE STORAGE OF APPROXIMATELY

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25        47,000 TIRES.    AND I HAVE CONCERNS ABOUT THE  
                                 107

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1       POSSIBILITY OF CREATING ANOTHER TIRE PILE.   PERHAPS  
2       YOU CAN ANSWER A QUESTION.   AND DOES THE OPERATOR  
3       HAVE ANY PLANS TO RECYCLE THE TIRES OR, FOR THAT  
4       MATTER, RECLAIM THE TIRES FROM THE MONOFILL  
5       EVENTUALLY?   WE'RE OKAYING THE DELIVERY OF THE  
6       TIRES, BUT WE DON'T HAVE THE SECOND, THE MONOFILL  
7       FOR THE TIRES PERMIT.

8               MS. RICE:   CORRECT.   AS WAS DESCRIBED IN  
9       COMMITTEE, THIS IS IN A SENSE ONE PIECE OF A  
10      REQUIRED APPROVAL PROCESS FOR THE OPERATION OF A  
11      TOTAL FACILITY.   I'M SURE THE OPERATOR CAN BETTER  
12      DESCRIBE WHAT THEY PROPOSE TO DO.   BUT IT IS OUR  
13      UNDERSTANDING THAT THEY ULTIMATELY PROPOSE TO  
14      OPERATE A MONOFILL, AND THAT THIS IS ONE PIECE OF  
15      THE APPROVAL PROCESS THAT THEY WOULD NEED FOR THAT,  
16      THE ABOVEGROUND STORAGE, BUT THIS IS NOT THE  
17      APPROVAL FOR THE MONOFILL ITSELF.

18               AND THIS PERMIT DOES PROVIDE  
19      FINANCIAL ASSURANCES FOR REMOVAL OF THESE TIRES AS  
20      IS REQUIRED BY ANY APPLICANT FOR A MAJOR WASTE TIRE  
21      FACILITIES PERMIT.   THAT IS IN A SENSE OUR  
22      ASSURANCE THAT THIS WOULD NOT TURN INTO A TIRE  
23      PILE.

24               CHAIRMAN PENNINGTON:   IS THE OPERATOR HERE

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25 OR SOMEBODY REPRESENTING THE OPERATOR? YOU WANT TO  
108

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1 COME UP TO THE MIKE HERE, AND MAYBE YOU CAN ANSWER  
2 MRS. GOTCH'S QUESTION.

3 MR. TONEY: NAME IS JOEY TONEY. I'M THE  
4 VICE PRESIDENT OF OPERATIONS AT CAM. THE TIRE  
5 PILES THAT WE HAVE MADE APPLICATION FOR IN OUR  
6 PERMIT ARE ACTUALLY PROCESSING PILES. AND WHAT IS  
7 GOING TO HAPPEN IS THAT WE INITIALLY ARE GOING TO  
8 RECEIVE ONLY SHREDDED TIRES. AND MY BELIEF IS THAT  
9 THE MAJORITY OF OUR BUSINESS WILL BE THAT.  
10 HOWEVER, IF AT SOME FUTURE DATE IT DOES BECOME  
11 NECESSARY TO SHRED TIRES ON SITE, THEN WE WILL HAVE  
12 PROVIDED FOR THAT IN OUR APPLICATION.

13 THE FOOTPRINT OF THE TIRES IS -- THE  
14 PILES IS QUITE SMALL. ONE WOULD BE A SHREDDED  
15 PILE; ONE WOULD BE AN INCOMING PILE. AND THE WAY  
16 THOSE WILL WORK IS THAT AS WHOLE TIRES COME IN THIS  
17 END, THE OTHER TIRES AT THE OTHER END ARE GOING  
18 THROUGH A SHREDDER AND DOWN TO A PIT. AND ALSO  
19 ANOTHER FACET OF THAT IS OUR COUNTY VECTOR CONTROL  
20 PERMIT REQUIRES THAT NO TIRES CAN SIT LONGER THAN  
21 90 DAYS.

22 BOARD MEMBER RELIS: I GUESS IF I COULD  
23 FOLLOW UP ON MS. GOTCH'S QUESTION. YOU KNOW, WE'VE

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24 HAD A LOT OF EXPERIENCE, MOSTLY NEGATIVE, WITH TIRE  
25 PILES. SO THERE IS A SLIGHT BIT OF PERHAPS

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1       PARANOIA HERE.  BUT LET'S JUST SAY, OKAY, IN THIS  
2       PARTICULAR CASE WHY DO YOU NEED THE PILE NOW  
3       INDEPENDENT OF YOUR LARGER PERMIT TO OPERATE THE  
4       MONOFILL?

5               MR. TONEY:  ORIGINALLY THE IDEA OF  
6       SHREDDING ACTUALLY CAME FROM THE COUNTY PLANNING  
7       COMMISSION.  THEY WANT US TO PROVIDE ACCESS OF  
8       COUNTY RESIDENTS FOR TIRE DISPOSAL AT OUR FACILITY,  
9       AND WE WERE GOING TO ACCOMMODATE THAT.  AND THEN  
10      ALSO ORIGINALLY WE WERE NOT UNDER THE IMPRESSION  
11      THAT WE NEEDED A LARGE TIRE FACILITY PERMIT AND  
12      HAVE SINCE FOUND THAT WE DID AND MADE APPLICATION  
13      AND SO ON.  AND SO IN MAKING THAT APPLICATION, WE  
14      MADE PROVISION FOR SHREDDING AT THAT TIME.

15             BOARD MEMBER RELIS:  BUT UNLIKE OTHER  
16      PILES, IF I'M MISTAKEN, SINCE YOU WOULD NEED A FULL  
17      PERMIT, YOU NEED TO COME UP WITH FINANCIAL --  
18      YOU'RE GOING ASSURE THAT WE WOULD HAVE THE  
19      WHEREWITHAL IN THE EVENT THAT, LET'S SAY, YOUR  
20      LARGER PERMIT WAS --

21             MR. TONEY:  THAT'S DONE.

22             BOARD MEMBER RELIS:  -- TO REMOVE THESE  
23      TIRES.  AND STAFF HAS VERIFIED THAT THE ASSURANCES  
24      WOULD, IN FACT, COVER THE 50,000 TIRES IF THEY WERE



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25 ALL --

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1 MS. RICE: THAT'S CORRECT.

2 BOARD MEMBER RELIS: OKAY. AND THAT'S --  
3 CORRECT ME OR REFRESH ME. HOW MUCH WILL WE BE  
4 SETTING ASIDE?

5 MR. TONEY: \$50,000 WAS THE AMOUNT.

6 BOARD MEMBER RELIS: DOLLAR A TIRE THEN.

7 MR. TONEY: CORRECT.

8 BOARD MEMBER RELIS: THANK YOU.

9 CHAIRMAN PENNINGTON: MR. CHESBRO.

10 BOARD MEMBER CHESBRO: MR. CHAIRMAN, FIRST  
11 OF ALL, I WANTED TO SAY THAT THIS RESPONSE TO THE  
12 COMMUNICATION ON CEQA IS KIND OF WHAT I WAS TRYING  
13 TO GET AT EARLIER TODAY. THIS IS THE KIND OF THING  
14 I'M TALKING ABOUT. IT'S JUST LIKE SOME KIND OF A  
15 RESPONSE THAT JUST DESCRIBES WHY WE DON'T THINK  
16 THAT THE ISSUE THAT'S BEEN RAISED IS SIGNIFICANT OR  
17 DOESN'T REQUIRE US TO TAKE ANY OTHER ACTION.

18 I GUESS THE PHRASE, GOING TO THE  
19 GENERAL TOPIC HERE, IS -- THAT COMES TO MIND IS  
20 TRUST BUT VERIFY. I THINK IT WAS HENRY KISSINGER  
21 OR ONE OF THOSE SECRETARIES OF STATE BACK THERE WHO  
22 USED TO USE THAT PHRASE. IT'S MY UNDERSTANDING  
23 THAT WE WILL -- THAT RATHER THAN A PERMIT, THAT THE

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24 MONOFILL, THE WAY STAFF VIEWS IT AT THIS TIME IS  
25 THAT THE MONOFILL WILL REQUIRE SOME KIND OF AN

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1       AGREEMENT; IS THAT CORRECT?

2                   MS. RICE:   THAT'S CORRECT, MR. CHESBRO.

3       WE ARE CURRENTLY WORKING ON AN ORDER THAT WOULD  
4       DESCRIBE THE OPERATIONS OF THE MONOFILL PORTION OF  
5       THE FACILITY UNTIL SUCH TIME AS WE HAVE ADOPTED  
6       REGULATIONS WHICH WOULD SET OUT SPECIFIC PERMIT  
7       REQUIREMENTS FOR TIRE MONOFILLS.  AS YOU KNOW, WE  
8       DON'T CURRENTLY HAVE SUCH REGULATIONS, AND A FEW  
9       MONTHS AGO THE BOARD DIRECTED THAT WE DEVELOP  
10      THOSE, AND THOSE ARE NOT YET READY.

11                   SO IN THE INTERIM PERIOD WE ARE  
12      PROPOSING TO DEVELOP AN ORDER THAT WOULD DESCRIBE  
13      THE OPERATION OF THE FACILITY AND WOULD IN A SENSE  
14      WORK IN TANDEM WITH THIS PERMIT THAT'S BEFORE YOU  
15      TODAY TO SANCTION ALL THE OTHER OPERATIONS.

16                   BOARD MEMBER CHESBRO:   WOULD THAT ORDER  
17      COME TO THE COMMITTEE AND BOARD?

18                   MS. RICE:   WE WERE NOT PROPOSING TO DO  
19      THAT.

20                   MR. TONEY:   I THINK IT'S ALSO IMPORTANT TO  
21      UNDERSTAND THAT THE MONOFILL PORTION OF THIS PERMIT  
22      HAS ALREADY BEEN APPROVED BY CALAVERAS COUNTY AND  
23      WENT THROUGH A COMPLETE CEQA PROCESS/PERMITTING

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24       PROCESS WITH PUBLIC COMMENT AND SO ON.   AND WE

25       ADEQUATELY COVERED ALL QUESTIONS THAT WERE RAISED

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1       AT THAT TIME, AND THE THINGS THAT I HEAR CURRENTLY  
2       ARE REPETITIVE OF THAT.

3               BOARD MEMBER CHESBRO:   THE AGREEMENT, ONCE  
4       WE HAD REGULATIONS IN PLACE, WOULD BE REPLACED WITH  
5       A PERMIT.  IS THAT WHAT I UNDERSTOOD YOU TO SAY?

6               MS. RICE:  THAT'S OUR ASSUMPTION, YES,  
7       THAT THE ORDER WOULD BE IN PLACE FOR A LIMITED  
8       PERIOD OF TIME.  WE ARE PROPOSING AT THIS POINT NO  
9       MORE THAN ONE YEAR, AND WHEN THE YEAR WAS UP, WE  
10      WOULD REVISIT.  HOPEFULLY WE'D HAVE THE REGS IN  
11      PLACE AND COULD BE ABLE TO PERMIT THE FACILITY.  IF  
12      NOT, THEN WE WOULD HAVE TO LOOK AT EXTENDING THE  
13      ORDER.

14              BOARD MEMBER CHESBRO:  WELL, I'M EXTREMELY  
15      UNCOMFORTABLE WITH THE FACT THAT WE'RE TAKING ONE  
16      PIECE WITHOUT THE WHOLE PICTURE OF INCLUDING THE  
17      MONOFILL AND THAT THE -- APPARENTLY UNTIL THE REGS  
18      ARE IN PLACE, THE MONOFILL WILL WIND UP BEING DONE  
19      AS A RESULT OF AGREEMENT THAT THE BOARD ISN'T GOING  
20      TO REVIEW.  I'M NOT AGAINST MONOFILLING AT THIS  
21      SITE, AND I'M NOT AGAINST SOME SORT OF EXPEDITED  
22      EFFORT THAT DOESN'T REQUIRE THEM TO WAIT UNTIL THE  
23      REGS ARE IN PLACE, BUT I AM UNCOMFORTABLE ABOUT THE  
24      DISCONNECTION OF THE TWO PIECES OF IT AND THE FACT

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25            THAT APPARENTLY THE ORDER WILL NOT BE CONSIDERED BY  
113

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1 THE BOARD. SO THOSE ARE TWO SERIOUS CONCERNS THAT  
2 I HAVE.

3 CHAIRMAN PENNINGTON: OKAY. MR. JONES.

4 BOARD MEMBER JONES: THAT -- THE ITEM  
5 THAT'S IN FRONT OF US RIGHT NOW, THOUGH, IS THE  
6 NEGATIVE DECLARATION, CORRECT, NOT THE TIRE?

7 OKAY. I'VE BEEN OUT TO THAT SITE. I'VE SEEN WHAT  
8 IS PROPOSED THERE. AND I THINK THAT, AS ALL THE  
9 BOARD MEMBERS ARE AWARE, THERE'S TWO ITEMS. WE HAD  
10 AN ITEM COME FORWARD WHERE SOMEBODY HAD PROPOSED A  
11 MONOFILL TO TAKE CARE OF THEIR CLOSURE FUNDING OR  
12 CHANGE THE WAY THEY WERE GOING TO DO IT. WE WERE  
13 VERY WORRIED BECAUSE OF THE FIRE ISSUES, THOSE  
14 TYPES OF THINGS.

15 THE CAM PEOPLE ARE WORKING WITH STAFF  
16 TO MONITOR THE PLACEMENT OF TIRES SO THAT WE CAN  
17 ACTUALLY GET SOME OF THAT INFORMATION SO THAT WE  
18 DON'T -- I THINK WHAT OUR CONCERN WAS WAS THAT WE  
19 DIDN'T DEVELOP REGULATIONS THAT CREATED AN  
20 ENVIRONMENTAL DISASTER BECAUSE THE EVIDENCE WAS  
21 THERE THAT TIRES PILED 20 FEET TALL CREATED HEAT.  
22 AND SOME OF THE TIRE FIRES ON THE ROADS IN  
23 WASHINGTON THAT BURNED UP, IT WAS FOUND THAT



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24        ORGANICS MIXING WITH THE SHREDDED METAL IN THE  
25        BANDS OF THE TIRES WERE PROBABLY THE CAUSE OF THAT

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1       AND THAT THE SIZE OF CHIPS WERE VERY CRITICAL TO  
2       WHAT WAS GOING TO HAPPEN.

3                       SO STAFF HAS BEEN WORKING WITH CAM TO  
4       MAKE SURE THAT THOSE THINGS WERE TAKEN CARE OF SO  
5       THAT WE DIDN'T CREATE AN ENVIRONMENTAL DISASTER BY  
6       ALLOWING REGS TO GO FORWARD ON A TIRE MONOFILL.  
7       IT'S KIND OF IRONIC THAT THIS TIRE FILL IS GOING TO  
8       BE IN THE SAME PIT AS ASBESTOS BECAUSE WE COULD  
9       PROBABLY KEEP THE FIRES OUT BY COVERING IT WITH THE  
10      ASBESTOS. I'M ONLY JOKING.

11                   BOARD MEMBER CHESBRO: ASBESTOS AS  
12      ALTERNATIVE DAILY COVER.

13                   BOARD MEMBER JONES: I'M ONLY JOKING. BUT  
14      THE PROPERTIES OF THE MATERIAL THAT THEY ARE GOING  
15      TO BE USING TO COVER THOSE CHIPS HAVE A PH. OF 7.  
16      THERE ARE NO ORGANICS IN IT. SO I THINK ONE OF THE  
17      ISSUES THAT CREATED A TIRE FIRE WAS THE FACT THAT  
18      THERE WERE ORGANICS IN THE MATERIAL THAT WAS, YOU  
19      KNOW, COMMINGLED WITH THESE TIRE ROADS. THIS  
20      MATERIAL DOESN'T HAVE ANY ORGANICS IN IT. I MEAN  
21      IT'S ABSENT OF ANY OF THAT, SO HOPEFULLY IT WILL BE  
22      A PRETTY GOOD PROCESS.

23                   I'M GOING TO MOVE THAT WE ADOPT THE

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24        NEGATIVE DEC AS SOON AS I FIND THE PAGE WITH THE

25        RESOLUTION NUMBER ON IT.

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1                   CHAIRMAN PENNINGTON:   97-505.

2                   BOARD MEMBER JONES:   97-505.

3                   BOARD MEMBER RELIS:   MR. CHAIR, I'VE JUST  
4   A QUESTION BEFORE WE ACT, FURTHER INFORMATION.

5                   CHAIRMAN PENNINGTON:   LET ME SECOND THIS  
6   MOTION.   GO AHEAD MR. RELIS.

7                   BOARD MEMBER RELIS:   ON THE FINANCIAL  
8   ASSURANCES, AGAIN, WOULD -- LET'S SAY THEY BROUGHT  
9   IN 50,000 TIRES NEXT MONTH.   WOULD WE HAVE 50,000  
10   IN THE KITTY EFFECTIVE AT THE TIME?   THERE WOULDN'T  
11   BE A DISCONNECT BETWEEN HAVING THAT -- THE  
12   REASON -- THAT'S REALLY CRITICAL CONSIDERATION IN  
13   MY VIEW THAT WE HAVE THE MEANS TO DEAL WITH THE  
14   PILE SHOULD IT BECOME A PILE AND NOT PART OF A  
15   MANAGEMENT SYSTEM.

16                  MS. RICE:   I BELIEVE THE ITEM INDICATES  
17   IT'S A LETTER OF CREDIT THAT'S BEING PROVIDED.

18                  MR. KEFFER:   IF I COULD, I'D ALSO LIKE TO  
19   CORRECT THE FACT THAT THE APPLICATION IS FOR THE  
20   STORAGE OF APPROXIMATELY 43,000 TIRES, BUT THE  
21   FINANCIAL ASSURANCES WERE FOR \$50,000.

22                  BOARD MEMBER RELIS:   OKAY.   BUT BOTTOM  
23   LINE, WE HAVE THE ASSURANCE THE MONEY IS THERE.

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IT

24       WOULDN'T BE A, YOU KNOW, A PILE THAT WE DIDN'T  
HAVE

25       THE MONEY IN THE KITTY AT THE TIME IT BECAME A  
116

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1       PILE.

2               MS. RICE:   YES, SIR.

3               BOARD MEMBER CHESBRO:   MR. CHAIRMAN, I  
4       HAVE ADDITIONAL QUESTION REGARDING THE CEQA.  I  
5       DON'T REMEMBER YOUR NAME.  DID I UNDERSTAND THAT  
6       THERE WAS A CEQA DOCUMENT PREPARED FOR THE COUNTY  
7       FOR THE LANDFILL?

8               MR. TONEY:   YES.

9               BOARD MEMBER CHESBRO:   AND SO THE NEGATIVE  
10      DECLARATION, DID THAT TAKE INTO ACCOUNT THIS  
11      PORTION OF IT, THE STORAGE AND SHREDDING PORTION OF  
12      IT?

13              MR. TONEY:   NO.  IT REFERENCED IT BRIEFLY,  
14      BUT THE PRIMARY FOCUS WAS THE DISPOSAL PIT ITSELF.  
15      I JUST MIGHT ALSO ADD AT THAT TIME WE RETAINED THE  
16      FOREMOST TIRE FIRE EXPERT IN THE NATION, DR. JOSEPH  
17      ZELABOR WITH THE NATIONAL ACADEMY OF SCIENCES, TO  
18      REVIEW OUR PROJECT AND MAKE RECOMMENDATIONS.  AND  
19      ALL OF HIS RECOMMENDATIONS WERE ADOPTED AS  
20      CONDITIONS IN OUR CONDITIONAL USE PERMIT.

21              BOARD MEMBER CHESBRO:   THE NEGATIVE DEC IS  
22      JUST ON THIS PORTION OF THE PROJECT.

23              MR. KEFFER:   THAT'S WHY THE NEGATIVE

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24        DECLARATION WAS PREPARED BECAUSE IN REVIEW OF THE

25        CEQA DOCUMENTS PREPARED FOR THE DISPOSAL OF THE

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1 TIRES, WE DID NOT FEEL THEY ADDRESSED THE  
2 ABOVEGROUND STORAGE AND, THEREFORE, THE NEGATIVE  
3 DECLARATION WAS PREPARED FOR THAT PORTION.

4 BOARD MEMBER CHESBRO: WELL, I GUESS  
5 BEFORE WE VOTE, I JUST HAVE TO SAY I HAVE A HARD  
6 TIME DISCONNECTING THE TWO AS DISTINCT AND  
7 SEPARATE. ONE IS CLEARLY BEING CREATED TO PREPARE  
8 THE TIRES FOR THIS DISPOSAL PROJECT, AND I WOULD  
9 HOPE THAT IF THE BOARD DOES CHOOSE TO ADOPT THIS,  
10 WE WOULD ALSO ADDRESS THE QUESTION I RAISED ABOUT  
11 WHEN WE'RE GOING TO OR WHETHER WE'RE GOING TO SEE  
12 THE AGREEMENT SO THAT WE HAVE SOME ABILITY TO  
13 REVIEW THE TERMS AND CONDITIONS UNDER WHICH THE  
14 DISPOSAL WILL TAKE PLACE.

15 WE'RE TAKING THIS IN DIFFERENT  
16 PIECES, AND WE'RE NOT HAVING THE CHANCE TO REALLY  
17 VIEW IT AS A WHOLE AND REALLY IDENTIFY THE ISSUES.  
18 WE DON'T HAVE THAT CEQA DOCUMENT BEFORE US, EVEN  
19 THOUGH I THINK THE PROJECTS ARE VERY CLOSELY  
20 INTERTWINED.

21 BOARD MEMBER RELIS: SPEAKING OF MR.  
22 CHESBRO'S POINT, I GUESS WHAT I HEAR YOU SAYING,  
23 WESLEY, IS YOU'RE TRYING TO SEE THE LOGIC OF WHY  
24 THIS. AND MAYBE COULD STAFF JUST TAKE A STAB AT



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25        AGAIN WHY IT COMES FORWARD IN THIS WAY BECAUSE I  
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1 THINK THAT'S THE ISSUE? I DON'T HAVE A PROBLEM  
2 WITH IT. I MEAN IT'S KIND OF LIKE A STORAGE. IN  
3 THE WORST CASE, IF THE ASSURANCES ARE THERE, IT'S A  
4 STORAGE FACILITY TO MANAGE CALAVERAS AREA TIRES.

5 MS. RICE: THAT'S EXACTLY WHAT IT IS. IN  
6 A SENSE THIS COMMITTEE SEVERAL MONTHS AGO HAD A  
7 DISCUSSION ABOUT EXACTLY THIS ISSUE AND PROVIDED  
8 DIRECTION TO STAFF ON HOW TO HANDLE A SITUATION  
9 WHERE OUR REGULATIONS DO NOT CURRENTLY CLEANLY  
10 ACCOMMODATE THE OPERATION THAT CAM WISHES TO RUN.  
11 WE DO NOT HAVE REGULATIONS, EITHER LANDFILL  
12 REGULATIONS OR TIRE REGULATIONS, WHICH FIT NICELY  
13 FOR A MONOFILL SITUATION.

14 SO WE WERE LOOKING AT A SITUATION  
15 WHERE NEITHER SET OF REGULATIONS WORKED PRECISELY.  
16 WE HAVE THE TIRE REGULATIONS WHICH WERE REALLY  
17 DRAFTED TO COVER ABOVEGROUND STORAGE, WHICH IS WHAT  
18 WE'RE ACCOMPLISHING TODAY. WE HAVE SOLID WASTE  
19 LANDFILL REGULATIONS WHICH HAVE NO PERMIT  
20 CONDITIONS WHICH RELATE TO TIRE STORAGE, THE FIRES  
21 ISSUES THAT MR. JONES MENTIONED, AND THE OTHER  
22 CONSIDERATIONS THAT MR. TONEY MENTIONED ARE  
23 ACCOMMODATED WITHIN THEIR LOCAL LAND USE APPROVAL

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24       FOR PROTECTION OF THE PUBLIC.

25                       SO WE WERE IN A SENSE TRYING TO PUT  
                          119

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1       SOMETHING TOGETHER AT THE DIRECTION OF THE  
2       COMMITTEE WHICH WOULD DESCRIBE THE OPERATIONS OF  
3       THE TOTAL FACILITY UNTIL SUCH TIME AS WE WERE ABLE  
4       TO PUT BEFORE YOU REGULATIONS WHICH WOULD DO THIS  
5       IN A CLEANER WAY.  SO, YES, WE ARE IN A SENSE  
6       TRYING TO BOOTSTRAP SOMETHING TOGETHER BECAUSE WE  
7       DON'T HAVE REGULATIONS WHICH CLEARLY DIRECT STAFF  
8       IN HOW TO PROCEED WITH A FACILITY OF THIS TYPE.

9               MR. TONEY:  IT'S ALSO MY UNDERSTANDING  
10      THAT PART OF THE BENEFIT OF CAM IN THIS OPERATION  
11      WILL SORT OF BE THE DEMONSTRATION OR TEST PROJECT  
12      FOR THE MONOFILL REGULATIONS WHEN THOSE ARE  
13      DEVELOPED AS WELL.

14              BOARD MEMBER FRAZEE:  THE CEQA DOCUMENTA-  
15      TION FOR THE MONOFILL ITSELF IS ALREADY PASSED  
16      BEHIND US.

17              MS. RICE:  THAT'S CORRECT.

18              BOARD MEMBER FRAZEE:  AND THAT WAS --  
THIS

19      ONE IS BEING BROUGHT ABOUT BECAUSE THE DEFICIENCY  
20      IN THE FIRST ONE, AND SO THIS PUTS THE WHOLE  
21      PACKAGE TOGETHER.

22              MS. RICE:  THAT'S CORRECT.

23              BOARD MEMBER FRAZEE:  WITH THE PREVIOUS

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24       ONE AND THIS ONE.

25               MS. RICE:   YES.  
                              120

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1                   CHAIRMAN PENNINGTON:   OKAY.   ANY FURTHER  
2   DISCUSSION?   IF NOT, WILL THE SECRETARY CALL THE  
3   ROLL ON THE -- MR. JONES' MOTION TO ADOPT  
4   RESOLUTION 97-505.

5                   THE SECRETARY:   BOARD MEMBER CHESBRO.

6                   BOARD MEMBER CHESBRO:   NO.

7                   THE SECRETARY:   FRAZEE.

8                   BOARD MEMBER FRAZEE:   AYE.

9                   THE SECRETARY:   GOTCH.

10                  BOARD MEMBER GOTCH:   NO.

11                  THE SECRETARY:   JONES.

12                  BOARD MEMBER JONES:   AYE.

13                  THE SECRETARY:   RELIS.

14                  BOARD MEMBER RELIS:   AYE.

15                  THE SECRETARY:   CHAIRMAN PENNINGTON.

16                  CHAIRMAN PENNINGTON: AYE.   MOTION

17   CARRIES.

18                  BOARD MEMBER GOTCH:   MR. CHAIR, MAY I GO  
19   BACK TO THE QUESTION ON ZANKER ROAD.   THIS KIND OF  
20   BROUGHT UP A QUESTION.   IS THERE A PROBLEM WITH  
21   THAT?

22                  CHAIRMAN PENNINGTON:   CERTAINLY.

23                  BOARD MEMBER GOTCH:   AND THAT'S BACK TO  
24   THE FINANCIAL ASSURANCES.   DO WE HAVE ALL THE

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25            INFORMATION ON THE FINANCIAL ASSURANCES WITH ZANKER  
                 121

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1 ROAD AT THIS TIME?

2 MS. RICE: YES. WE DID OBTAIN ALL THE  
3 NEEDED INFORMATION, AND STAFF WERE ABLE TO  
4 RECOMMEND CONCURRENCE ON THE PERMIT.

5 BOARD MEMBER GOTCH: WHAT ARE THE  
6 FINANCIAL ASSURANCES?

7 MS. RICE: PERHAPS THE OPERATOR OR STAFF  
8 COULD COME FORWARD AND DESCRIBE THAT.

9 BOARD MEMBER JONES: THEY'RE GONE.

10 BOARD MEMBER GOTCH: OKAY. THANK YOU.  
11 EVAN, COULD YOU -- AND IF NOT, YOU CAN GET IT TO ME  
12 LATER IF I'M PUTTING YOU ON THE SPOT.

13 MR. EDGAR: EVAN EDGAR OF EDGAR ASSOCIATES  
14 ON BEHALF OF ZANKER ROAD. THEY LEFT -- AFTER THE  
15 VOTE WAS SIX ZERO, THEY LEFT, AND I DON'T HAVE THE  
16 INFORMATION IN FRONT OF ME, BUT I CAN GIVE THAT TO  
17 YOU AFTER THE MEETING.

18 BOARD MEMBER GOTCH: I'D APPRECIATE THAT.  
19 THANKS. IT JUST POPPED A QUESTION IN MY MIND WITH  
20 THIS DISCUSSION.

21 MR. WHITEHILL: JON WHITEHILL WITH THE  
22 PERMITTING AND INSPECTIONS BRANCH. THE ONE ITEM  
23 THAT WAS MISSING THAT RELATED TO FINANCIAL  
24 ASSURANCES WASN'T ACTUALLY THE MONEY ASPECT. IT



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25 WAS THE OPERATING LIABILITY CERTIFICATION, AND WE  
122

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1 WERE WAITING FOR AN ACTUAL COPY OF THEIR INSURANCE  
2 CERTIFICATE TO SHOW THAT THEY HAD UPDATED OPERATING  
3 LIABILITY.

4 BOARD MEMBER GOTCH: THANK YOU.

5 BOARD MEMBER CHESBRO: MR. CHAIR, JUMPING  
6 BACK TO THE ITEM WHICH WE JUST VOTED ON, I WOULD  
7 LIKE FOR -- TO MAKE A MOTION THAT WE DIRECT THAT  
8 THE, BECAUSE OF THE NATURE OF THE WAY WE'RE GOING  
9 TO HANDLE REGULATION OF THIS FACILITY UNTIL THE  
10 REGULATIONS ARE IN PLACE, THAT THE ORDER, WE DO  
11 SOMETHING SORT OF UNUSUAL OR EXTRAORDINARY, AND  
12 THAT IS THAT THE STAFF ORDER BE BROUGHT TO THE  
13 COMMITTEE AND TO THE BOARD FOR APPROVAL ON THE  
14 CALAVERAS FACILITY.

15 CHAIRMAN PENNINGTON: THROUGH THE  
16 PERMITTING AND ENFORCEMENT COMMITTEE?

17 BOARD MEMBER CHESBRO: RIGHT.

18 MR. CHANDLER: I'D LIKE TO SPEAK TO THAT  
19 ISSUE, MR. CHAIRMAN. I THINK THERE'S A CLEAR  
20 SEPARATION OF WHERE THE ADMINISTRATIVE FUNCTIONS OF  
21 THE ENFORCEMENT STAFF AND MY OFFICE RESIDE VERSUS  
22 THE ROLE OF THE BOARD. AND I'M CONCERNED THAT IF  
23 YOU'RE NOW GOING TO BE SETTING A PRECEDENT WHERE IF

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24        YOU WANT MY ENFORCEMENT STAFF TO COME TO THE BOARD

25        TO GET ENFORCEMENT ACTION TAKEN, YOU'RE THE APPEAL

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1 BODY HERE. YOU ARE THE BODY THAT PEOPLE COME TO TO  
2 QUESTION ENFORCEMENT ACTION, AND I HAVE A GRAVE  
3 CONCERN THAT WE'RE ON THIS SLIPPERY SLOPE.

4 IF YOU'RE LOOKING FOR INFORMATION ON  
5 HOW THIS ENFORCEMENT -- THIS STIPULATED ORDER IS  
6 GOING TO BE CARRIED OUT AND THE CONDITIONS AROUND  
7 IT, I AM MORE THAN WILLING TO MEET WITH YOU  
8 INDIVIDUALLY AND LAY OUT EXACTLY HOW WE INTEND TO  
9 DO THE STIPULATED ORDER, BUT I THINK IT IS A BAD  
10 PRECEDENT FOR US SEEKING TO TAKE ENFORCEMENT  
11 ACTIONS BEFORE THE BOARD PRIOR TO THE STAFF ISSUING  
12 THOSE ENFORCEMENT ACTIONS.

13 BOARD MEMBER CHESBRO: I HAVE TO TELL YOU  
14 I LIKE YOUR SLIPPERY SLOPE METAPHOR, BUT NOT TO  
15 MAKE LIGHT OF IT, BUT I GUESS THE DIFFERENCE, AND I  
16 DON'T DISAGREE WITH YOU UNDER NORMAL CIRCUMSTANCES,  
17 MR. CHANDLER. I WOULDN'T NORMALLY WANT TO BRING  
18 SOMETHING LIKE THIS FORWARD TO THE BOARD. THE  
19 PROBLEM IS I THINK WE'RE BEING ASKED TO ALLOW A  
20 FACILITY TO OPERATE ESSENTIALLY WITHOUT A PERMIT  
21 AND IN LIEU OF REGULATIONS COMING LATER. AND  
22 THAT  
23 IS WHAT CONCERNS ME.

23 IT IS, I THINK, IN A CATEGORY BY

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24       ITSELF THAT'S PRETTY DIFFERENT THAN ANY OTHER I  
CAN

25       THINK OF.   SO I HOPE IT WOULDN'T BE SETTING ANY  
124

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1       PRECEDENT OR BEGINNING THE SLIPPERY SLOPE THAT  
2       YOU'RE CONCERNED ABOUT, AND I WOULD CONCUR THAT  
3       THAT WOULD NOT BE A DESIRABLE DIRECTION FOR US TO  
4       GO.

5               MR. CHANDLER: I GUESS MY COMMENT IS I  
6       FELT THERE WAS OTHER WAYS I COULD COMMUNICATE THAT  
7       KIND OF INFORMATION TO THE BOARD BESIDES A VOTE  
8       PROCESS ON WHAT WE THINK IS APPROPRIATE ENFORCEMENT  
9       ACTION.

10              CHAIRMAN PENNINGTON: WE DO NEED A SECOND  
11       TO THIS.

12              BOARD MEMBER GOTCH: I'LL SECOND.

13              CHAIRMAN PENNINGTON: MR. JONES.

14              BOARD MEMBER JONES: I'M WONDERING HOW  
15       WE -- IS YOUR MOTION THAT WE'RE GOING TO VOTE ON  
16       THIS NOTICE AND ORDER? OR IS YOUR MOTION THAT YOU  
17       WANT THE INFORMATION?

18              BOARD MEMBER CHESBRO: WELL, I CERTAINLY,  
19       ONE WAY OR ANOTHER, WOULD LIKE THE OPPORTUNITY FOR  
20       THE COMMITTEE AND THE BOARD TO GIVE ITS BLESSING TO  
21       STAFF ON THE DIRECTION THAT THEY'RE GOING WITH THIS  
22       THROUGH A MORE FORMALIZED PROCESS. WHETHER THAT  
23       MEANS A FORMAL VOTE ON THE NOTICE AND ORDER, I HAD  
24       NOT REALLY REACHED A CONCLUSION ON, BUT I DO THINK

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25 THE PURPOSE OF BRINGING IT FORWARD IS BECAUSE IT IS  
125

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1       IN LIEU OF A PERMIT.   AND SO THE BOARD'S  
2       OPPORTUNITY TO MAKE CLEAR -- I MEAN TO HAVE THAT  
3       SORT OF AUTHORITY IS BY BRINGING IT BEFORE THE  
4       COMMITTEE AND THE BOARD.

5               BOARD MEMBER JONES:   BECAUSE I THINK -- I  
6       MEAN I UNDERSTAND WHAT YOU'RE SAYING.   IT IS A  
7       STRANGE SITUATION THAT -- BUT IF THERE'S -- IF A  
8       PERMIT ISN'T REQUIRED YET BECAUSE WE DON'T HAVE THE  
9       REGS, HOW DO WE VOTE ON SOMETHING THAT ISN'T  
10      REQUIRED?   WE DON'T VOTE ON RECYCLING CENTERS.   WE  
11      DON'T VOTE ON THESE FOLKS THAT -- I MEAN ON A WHOLE  
12      LOT OF OTHER THINGS.

13               I DON'T HAVE A PROBLEM WITH THAT  
14      COMING FORWARD, WHETHER IT'S RALPH COMING TO US OR  
15      TELLING US, YOU KNOW, WHAT THE CONDITIONS ARE  
16      BECAUSE I, FRANKLY, YOU KNOW, HAVE BEEN PRETTY  
17      INVOLVED -- NOT INVOLVED IN THAT, BUT I THINK AT  
18      SOME COMMITTEE MEETINGS WE BROUGHT FORWARD A LOT OF  
19      THE EVIDENCE THAT NEEDED US TO DEVELOP THESE  
20      THINGS.   SO I DON'T HAVE A PROBLEM WITH AN  
21      INFORMATIONAL ITEM IN OUR OFFICES, BUT I REALLY  
22      DON'T AGREE THAT IF SOMETHING DOESN'T NEED A PERMIT  
23      UNTIL WE DEVELOP A REG, HOW DO WE VOTE ON THAT AND  
24      NOT SET A PRECEDENT THAT'S EVEN SCARIER?



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25

BOARD MEMBER CHESBRO: BUT IT DOES REQUIRE

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1 A PERMIT, AND WE'RE JUST TRYING TO TEMPORARILY  
2 SUBSTITUTE TO GET IN UNDER RADAR, IF YOU WILL. YOU  
3 KNOW, THIS IS A FACILITY THAT WOULD NORMALLY  
4 REQUIRE A PERMIT. WE'RE JUST IN THIS ODD SITUATION  
5 WHERE WE DON'T HAVE REGULATIONS TO DETERMINE THE  
6 DETAILS. I MEAN THE ALTERNATIVE WOULD BE FOR US  
7 BRING IT FORWARD AND PROCESS IT UNDER SOME OTHER  
8 SOLID WASTE FACILITIES PERMIT TIER. THERE ISN'T  
9 ONE THAT'S BEEN DESIGNED FOR THIS SPECIFIC  
10 SITUATION, BUT IT DOES REQUIRE A PERMIT. I BEG TO  
11 DIFFER WITH YOU THAT IT'S NOT A FACILITY THAT  
12 REQUIRES A PERMIT.

13 BOARD MEMBER JONES: NO. I DIDN'T SAY  
14 THAT. I SAID IT DOESN'T REQUIRE A PERMIT TODAY.  
15 IT'S GOING TO REQUIRE A PERMIT AFTER THE  
16 REGULATIONS ARE THERE. YOU DON'T HAVE A MECHANISM  
17 RIGHT NOW.

18 BOARD MEMBER CHESBRO: I THINK THAT WE'RE  
19 GETTING INTO THE DETAILS OF THIS, BUT I THINK THAT  
20 THE CONCEPT OF AN ORDER IS THAT IT ESSENTIALLY  
21 SHOULD HAVE A PERMIT AND IS OPERATING WITHOUT ONE  
22 AND WE'RE ATTEMPTING TO, AS WE DO WITH OTHER  
23 FACILITIES THAT ARE NOT IN COMPLIANCE, HAVE A

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24 MECHANISM BY WHICH WE CAN TRY TO PROTECT THE PUBLIC

25 HEALTH, SAFETY, AND THE ENVIRONMENT IN LIEU OF A

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1       LEGAL PERMIT.

2               BOARD MEMBER JONES:   WESLEY, I AGREE WITH  
3       YOU THAT THERE'S A HEALTH AND SAFETY ISSUE HERE.  I  
4       THINK IT'S SEMANTICS AS TO -- YOU KNOW, I MEAN IT'S  
5       SEMANTICS.  THAT'S WHY I THINK AS AN INFORMATIONAL  
6       ITEM.  I JUST DON'T -- I AGREE WITH MR. CHANDLER.  
7       I DON'T KNOW HOW WE VOTE ON A NOTICE AND ORDER  
8       UNLESS WE SEE EVERY NOTICE AND ORDER THAT COMES IN  
9       FRONT.

10              BOARD MEMBER CHESBRO:  THIS IS A VERY  
11       DIFFERENT SITUATION THAN ORDINARILY.  I ACTUALLY,  
12       NOW THAT I THOUGHT ABOUT IT, I THINK IT SHOULD BE  
13       BROUGHT FORWARD FOR US FOR A VOTE.  BUT I'D ALSO  
14       INCLUDE IN THE MOTION, IF THE SECONDER WOULD AGREE,  
15       THAT IT'S NOT INTENDED TO SET A PRECEDENT THAT  
16       UNDER OTHER CIRCUMSTANCES NOTICE AND ORDERS BE  
17       BROUGHT TO THE COMMITTEE OR THE BOARD FOR A VOTE.

18              BOARD MEMBER GOTCH:  GLAD YOU ADDED THAT.

19              BOARD MEMBER CHESBRO:  THAT'S NOT THE  
20       INTENTION OF THIS TO BEGIN A PROCESS OF REGULARLY  
21       BRINGING NOTICE AND ORDERS BEFORE THE BOARD.  IT'S  
22       JUST THAT I'M UNCOMFORTABLE WITH THE CIRCUMSTANCE  
23       THAT WE'RE ALLOWING A FACILITY THAT REQUIRES A  
24       PERMIT TO OPERATE WITHOUT A PERMIT, AND I THINK THE

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25 BOARD NEEDS TO HAVE A ROLE IN THAT.

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1 BOARD MEMBER RELIS: MR. CHAIR.

2 CHAIRMAN PENNINGTON: YES, MR. RELIS.

3 BOARD MEMBER RELIS: I'D LIKE TO ASK MR.

4 CHESBRO. I MEAN IS YOUR CONCERN THAT THIS IS

5 LIKE -- MAYBE THIS ISN'T A GOOD WORD, ESPECIALLY AT

6 THIS TIME -- BUT A STEALTHY PERMIT, LIKE IT'S JUST

7 NOT FULLY DISCLOSED WHAT IS GOING ON HERE? IS THAT

8 THE NATURE OF YOUR CONCERN? IS IT PROCESS? IS IT

9 ALL OF THE --

10 BOARD MEMBER CHESBRO: I THINK IT'S THE

11 CONTENT OF WHAT'S GOING TO GO ON AT THE FACILITY,

12 JUST LIKE YOU WOULD HAVE BEFORE YOU IF IT WERE A

13 PERMIT. IT'S TO THE DEGREE TO WHICH THE ORDER IS

14 GOING TO PROTECT PUBLIC HEALTH AND SAFETY. IT'S

15 NOT JUST AN ENFORCEMENT ACTION. THAT'S WHY -- I

16 MEAN IT IS IN LIEU OF A PERMIT, AND THAT'S WHY I

17 THINK THE BOARD NEEDS TO BE CONCERNED ABOUT ITS

18 AUTHORITY IN THAT SITUATION, OUR AUTHORITY.

19 CHAIRMAN PENNINGTON: OKAY. ANY FURTHER

20 DISCUSSION ON THIS? IF NOT, WILL THE SECRETARY

21 CALL THE ROLL ON MR. CHESBRO'S MOTION.

22 THE SECRETARY: BOARD MEMBER CHESBRO.

23 BOARD MEMBER CHESBRO: AYE.

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24 THE SECRETARY: FRAZEE.

25 BOARD MEMBER FRAZEE: NO.

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1 THE SECRETARY: GOTCH.

2 BOARD MEMBER GOTCH: AYE.

3 THE SECRETARY: JONES.

4 BOARD MEMBER JONES: NO.

5 THE SECRETARY: RELIS.

6 BOARD MEMBER RELIS: ABSTAIN.

7 THE SECRETARY: CHAIRMAN PENNINGTON.

8 CHAIRMAN PENNINGTON: NO. MOTION FAILS.

9 BOARD MEMBER FRAZEE: JUST A POINT OF

10 ORDER, MR. CHAIRMAN. I THINK ALL THIS DISCUSSION

11 IS TAKING PLACE A LITTLE BIT OF AHEAD OF TIME. THE

12 ONLY ITEM THAT'S BEEN BEFORE US HAS BEEN THE CEQA

13 DOCUMENTATION AND WHETHER OR NOT TO CERTIFY AN EIR.

14 I'M PUZZLED BY THE NO VOTES ON THAT ITEM. SO JUST

15 WANTED TO RAISE THAT AS A POINT OF ORDER.

16 CHAIRMAN PENNINGTON: OKAY. ITEM 24,

17 CONSIDERATION OF ISSUANCE OF A NEW MAJOR WASTE TIRE

18 FACILITY PERMIT FOR THE CALIFORNIA ASBESTOS

19 MONOFILL, CAM, IN CALAVERAS COUNTY.

20 BOARD MEMBER RELIS: MR. CHAIR, JUST

21 BEFORE WE TAKE THIS UP, THIS IS LINGERING HERE WITH

22 THIS LAST ITEM. I'M WONDERING IF WE JUST

23 PROCEDURALLY, IF WE GET ONE OF THESE UNUSUAL

24 SITUATIONS WHERE WE HAVE THIS PROBLEM WITH LACK OF



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25 REGULATIONS, THERE'S A STORAGE FACILITY. IT COULD  
130

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1 BE A NUMBER OF OTHERS. I THINK IT WOULD HAVE -- IT  
2 WOULD HAVE HELPED ME PERHAPS -- I DON'T KNOW IF IT  
3 WOULD BE TRUE WITH YOU, WESLEY OR JANET, BUT TO  
4 AGAIN SEE IT IN CONTEXT. AND I FEEL THAT MAYBE WE  
5 DIDN'T QUITE GET -- CAPTURE THAT IN THE ITEM OR IN  
6 THE PRESENTATION. WHEN YOU EXPLAINED IT, DOROTHY,  
7 IT WAS CLEAR TO ME. BUT I HAVE TO SAY IT WASN'T  
8 ALTOGETHER CLEAR BEFORE YOU DID THAT.

9 I THINK WE COULD -- MIGHT NOT HAVE  
10 CHANGED THE OUTCOME HERE, BUT I THINK WE OUGHT TO  
11 ERR ON THE SIDE OF FULLY MAPPING OUT THE TREE HERE  
12 OF WHAT'S REALLY GOING ON AND SEQUENTIALLY SO THAT  
13 WE DON'T HAVE TO DO THAT ON SORT OF THE QUICK  
14 BECAUSE I THINK IT GETS DIFFICULT TO DO.

15 MR. CHANDLER: I CAN APPRECIATE THAT, MR.  
16 RELIS, BECAUSE I THINK THAT MAYBE THERE'S A BIT OF  
17 A FOREST FOR THE TREES. I THINK FROM THE STAFF'S  
18 PERSPECTIVE, WE HAVE BEEN SPENDING HOURS WITH THE  
19 OPERATOR GRAPPLING OVER JUST WHAT ARE THE  
20 APPROPRIATE CONDITIONS, WHAT IS GOING TO BE THE  
21 APPROPRIATE REFERENCE FOR THIS STIPULATED ORDER.  
22 AND I THINK WE HAVE BEEN SO CLOSE TO IT, WE SAW  
23 CLEARLY THE EARLIER PERMIT COMMITTEE DIRECTION AND  
24 DECISIONS THAT NOW DATE BACK SEVERAL MONTHS AS KIND

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25        OF OUR GUIDANCE ON HOW TO PROCEED, AND WE PROBABLY  
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1       COULD HAVE DONE A BETTER JOB.

2               BOARD MEMBER RELIS:   SEE, THAT'S I THINK  
3       IS -- IT'S CLEAR IN YOUR MINDS.  I MEAN YOU'VE BEEN  
4       WORKING WITH THEM CLOSELY.  IT'S NOT CLEAR -- I  
5       DON'T THINK -- I WAS AT COMMITTEE AND EVEN AFTER  
6       THAT I WAS A BIT.

7               MR. CHANDLER:  I THINK -- I FELT WE ALL  
8       WALKED AWAY SEVERAL MONTHS AGO WITH THIS BEING A  
9       CLEAR CASE OF A CATCH 22.  THEY HAVE AN OPERATION  
10      THAT NEEDS -- THAT SEEMS TO BE AN APPROPRIATE WAY  
11      TO DEAL WITH TIRES, AND WE HAVE NO REGULATORY  
12      STRUCTURE UNDER WHICH WE CAN ACCOMMODATE THEM.  AND  
13      SO FROM THERE YOU DIRECTED US TO GO BACK AND LOOK  
14      AT CREATIVE WAYS TO NOT ONLY DEAL WITH GETTING  
15      THESE REGULATIONS IN PLACE, BUT SEEING IF THIS  
16      OPERATION COULD BE A MODEL DEMONSTRATION TO  
17      ACCOMPLISH THAT.  AND WE'VE HAD TO WORK WITHIN THE  
18      REGULATORY VOID ALMOST TO SEE HOW WE CAN ACTUALLY  
19      MOVE THIS FORWARD.  WE FEEL WE'VE DONE THAT, AND WE  
20      PROBABLY COULD HAVE DONE A BETTER JOB OF GIVING YOU  
21      MORE CONTEXT AND HISTORY, BUT GOOD POINT, WELL  
22      TAKEN.

23              CHAIRMAN PENNINGTON:  OKAY.  ITEM 24, TRY

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24        THAT AGAIN, CONSIDERATION OF THE ISSUANCE OF A NEW  
25        MAJOR WASTE TIRE FACILITY PERMIT FOR THE CALIFORNIA

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1 ASBESTOS MONOFILL, CALAVERAS COUNTY. MS. RICE.

2 MR. KEFFER: AS PREVIOUSLY MENTIONED IN  
3 THE ITEM BEFORE THIS ITEM, CALIFORNIA ASBESTOS  
4 MONOFILL APPLIED FOR A MAJOR WASTE TIRE FACILITY  
5 PERMIT ON SEPTEMBER THE 17TH IN 1997. STAFF  
6 REVIEWED THE APPLICATION AND DEEMED IT COMPLETE ON  
7 OCTOBER THE 16TH, 1997.

8 A PREPERMIT INSPECTION WAS CONDUCTED  
9 BY STAFF ON OCTOBER THE 27TH. DURING THAT  
10 PREPERMIT INSPECTION, STAFF AND THE CALAVERAS LEA  
11 DETERMINED THAT THE DESIGN AND PROPOSED OPERATION  
12 OF THE WASTE TIRE STORAGE FACILITY AT CAM IS IN  
13 COMPLIANCE WITH THE WASTE TIRE STORAGE AND DISPOSAL  
14 STANDARDS. ALL THE OTHER TECHNICAL REQUIREMENTS,  
15 SUCH AS FIRE SAFETY, VECTOR CONTROL, SECURITY  
16 ACCESS OR, EXCUSE ME, FACILITY ACCESS AND SITE  
17 SECURITY AND THE STORAGE OF WASTE TIRES, WERE FOUND  
18 TO BE IN COMPLIANCE WITH ALL REQUIREMENTS,  
19 REGULATORY REQUIREMENTS.

20 THEREFORE, STAFF RECOMMENDS THAT THE  
21 BOARD ADOPT PERMIT DECISION 97-506, APPROVING THE  
22 ISSUANCE OF A MAJOR WASTE TIRE FACILITY PERMIT NO.  
23 05-TI-0726.

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24                           CHAIRMAN PENNINGTON:    OKAY.    ANY

25       DISCUSSION ON THIS?

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1                   BOARD MEMBER GOTCH:   MAY I?   JUST A QUICK  
2   QUESTION.   QUESTION IS, IN GENERAL, THE SOURCE OF  
3   THE TIRES.   DO WE KNOW WHERE THEY'RE FROM?   I DON'T  
4   KNOW IF I SHOULD BE ASKING THE OPERATOR RATHER THAN  
5   STAFF.   WHERE ARE THE TIRES FROM, PLEASE, MR. TONEY?

6                   MR. TONEY:   AS I MENTIONED INITIALLY,  
7   WE'RE GOING TO RECEIVE SHREDDED TIRES.   YOU HAVE TO  
8   CONSIDER THE HAULING RADIUS AROUND CAM.   WE'RE SORT  
9   OF UP IN CALAVERAS COUNTY THERE ALL BY OURSELVES,  
10   SO WE DON'T HAVE AS LARGE A DRAW AS FAR AS VOLUME  
11   IS CONCERNED AS A FACILITY IN THIS AREA MIGHT HAVE.  
12   THE SURROUNDING COUNTIES CERTAINLY, WE BELIEVE,  
13   WILL USE OUR FACILITY.   WE WILL HAVE, I THINK, SOME  
14   TIRE PILE CLEANUP TIRES ARRIVING AT CAM AS THAT  
15   PROGRESSES BECAUSE OFTEN THOSE ARE CONTAMINATED  
16   WITH MUD AND DIRT AND SO ON, AND THE BURNER FOLKS  
17   HAVE A HARD TIME DEALING WITH THOSE.   I WOULD THINK  
18   WE WOULD GET SOME OF THOSE AS WELL.

19                   I PERSONALLY SEE THIS AS A WINDOW OF  
20   OPPORTUNITY.   WE OBVIOUSLY HAVE A LITTLE TIRE  
21   PROBLEM IN THIS STATE, AND WE'RE TRYING TO RESOLVE  
22   IT, AND I KNOW EVERYONE IS WORKING HARD, BUT TODAY  
23   IT'S NOT A HUNDRED PERCENT AND WE STILL NEED



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24       SOMEPLACE TO PUT THESE TIRES FOR AT LEAST SOME  
25       TIME.   YOU KNOW, WE'RE STEPPING FORWARD WITH A

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1 SOLUTION TO THAT.

2 BOARD MEMBER RELIS: MR. CHAIR, DID I HEAR  
3 THAT THE -- IN YOUR LOCAL DELIBERATIONS THAT THE  
4 LOCAL GOVERNMENTS WERE LOOKING AT THIS AS A PLACE  
5 TO PARK THE TIRES, OR IS THAT -- WAS THAT A SUBJECT  
6 OF DISCUSSION?

7 MR. TONEY: THE PLANNING COMMISSION  
8 REQUESTED THAT WE MAKE PROVISION TO ACCEPT IN-  
9 COUNTY TIRES FROM RESIDENTS, WHICH WE HAVE DONE.

10 BOARD MEMBER RELIS: SO YOU HAVE TO  
11 ACCOMMODATE THOSE AS A CONDITION?

12 MR. TONEY: NO, WE DON'T, BUT WE HAVE DONE  
13 SO.

14 CHAIRMAN PENNINGTON: ANY OTHERS? MR.  
15 CHESBRO.

16 BOARD MEMBER CHESBRO: MR. CHAIRMAN, I'D  
17 LIKE TO ASK STAFF WHAT THE, UNDER THE ORDER  
18 APPROACH, WHAT THE RIGHTS OF AN AFFECTED PARTY  
19 WOULD BE UNDER AB 59. I MEAN WE HAVE PART OF THE  
20 PROCESS WITH THE LEA AND THE BOARD AND REGULAR  
21 PERMIT PROCESS IS THERE'S STEPS IN WHICH PUBLIC  
22 PARTICIPATION IS ALLOWED AND PEOPLE ARE GIVEN THE  
23 OPPORTUNITY TO COMMENT. HOW WOULD THAT WORK WHEN  
24 WE'RE DOING AN ORDER IN LIEU OF A PERMIT?

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25

MS. RICE: I'M NOT REAL SURE. I'LL START  
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1       AND MAYBE KATHRYN CAN HELP ME OUT. WE HAVE A BIT  
2       OF A HYBRID HERE AGAIN I WAS DESCRIBING EARLIER.  
3       WE ARE LINKING TOGETHER PIECES OF SOLID WASTE LAW  
4       AND PIECES OF TIRE LAW AND TRYING TO CRAFT  
5       SOMETHING THAT MAKES THE MOST SENSE FOR THE  
6       SITUATION. THE AB 59 APPEALS PROCESS YOU REFER TO  
7       IS, OF COURSE, OUT OF SOLID WASTE LAW. I DON'T  
8       BELIEVE IT APPLIES TO TIRE LAW. BUT, AGAIN, WE  
9       HAVE KIND OF A HYBRID HERE.

10               WE ALSO ARE NOT DEALING WITH AN LEA  
11       HERE BECAUSE WE AS THE BOARD DIRECTLY TAKE ACTION  
12       AS REGARDS TIRES, SO USUALLY THE WAY THE AB 59  
13       PROCESS WORKS IS A REQUEST IS MADE FOR A HEARING  
14       BEFORE A LOCAL HEARING PANEL, AND THEN IT COMES  
15       HERE. SO I'M NOT QUITE SURE WHAT THE COURSE IS  
16       THAT WE WOULD FOLLOW ON THIS ONE. I PRESUME, AS  
17       RALPH INDICATED, THAT THERE WOULD BE AN APPEAL  
18       OPTION TO THE BOARD ITSELF IF THERE WERE A PROBLEM  
19       WITH THE ORDER.

20               BOARD MEMBER CHESBRO: IS THAT THE STAFF  
21       POSITION, THAT THERE WOULD BE AN APPEAL TO THE  
22       BOARD?

23               MS. TOBIAS: SURE. THIS WOULD BE A  
24       REGULAR ENFORCEMENT ORDER, SO IT'S LIKE ANY OTHER

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25 ORDER. IF SOMEBODY WANTS TO APPEAL IT, THEY COULD  
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1 CERTAINLY APPEAL IT OR BRING A QUESTION TO THE  
2 BOARD AS TO WHETHER THEY FEEL IT IS INAPPROPRIATE  
3 OR NOT WORKING OR WHATEVER. SO IT FOLLOWS ALL THE  
4 REGULAR PROCEDURES.

5 AND WE'VE ACTUALLY, THE SECTION THAT  
6 WE'RE USING FOR THIS IS ONE THAT WE'VE USED ON  
7 ANOTHER FACILITY. SO THERE IS IN A SENSE NOT AN  
8 EXACT PRECEDENT, BUT ONE THAT STILL IS THERE. AND  
9 I THINK THERE'S ABSOLUTELY NO PROBLEM WITH EITHER A  
10 CITIZEN OR EVEN THE LOCAL GOVERNMENT, IF THEY FEEL  
11 THAT SOMETHING IS GOING WRONG THERE, TO BE ABLE TO  
12 EITHER BRING A QUESTION OR APPEAL IT TO THE BOARD.

13 BOARD MEMBER CHESBRO: THAT'S HELPFUL  
14 ACTUALLY TO KNOW. MR. CHANDLER, I'M GOING TO VOTE  
15 AGAINST THIS. I JUST WANTED TO REPEAT I'M NOT  
16 AGAINST THE MONOFILL OR THE PROCESSING OF THESE  
17 TIRES. JUST THE DISCONNECTED NATURE OF THIS  
18 PROCESS WHERE THE BOARD ISN'T SORT OF -- DOESN'T  
19 HAVE IT ALL IN FRONT OF US TO MAKE A DETERMINATION  
20 ON IS NOT ACCEPTABLE TO ME.

21 CHAIRMAN PENNINGTON: OKAY. WE NEED A  
22 MOTION.

23 BOARD MEMBER FRAZEE: I'LL MOVE ADOPTION  
24 OF RESOLUTION 97-506.

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BOARD MEMBER JONES: I WILL SECOND.

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1                   CHAIRMAN PENNINGTON: IT'S BEEN MOVED AND  
2       SECONDED. ANY FURTHER DISCUSSION? IF NOT, WILL  
3       THE SECRETARY CALL THE ROLL.

4                   THE SECRETARY: BOARD MEMBER CHESBRO.

5                   BOARD MEMBER CHESBRO: NO.

6                   THE SECRETARY: FRAZEE.

7                   BOARD MEMBER FRAZEE: AYE.

8                   THE SECRETARY: GOTCH.

9                   BOARD MEMBER GOTCH: NO.

10                  THE SECRETARY: JONES.

11                  BOARD MEMBER JONES: AYE.

12                  THE SECRETARY: RELIS.

13                  BOARD MEMBER RELIS: AYE.

14                  THE SECRETARY: CHAIRMAN PENNINGTON.

15                  CHAIRMAN PENNINGTON: AYE. MOTION  
16       CARRIES. WE WILL RECESS NOW UNTIL 2 O'CLOCK.

17

18                               (RECESS TAKEN.)

19

20

21

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